

HISTORICAL MAGAZINE

of the Protestant Episcopal Church



SEPTEMBER, 1955



THE ESTABLISHED CHURCH OF COLONIAL
MARYLAND

By Spencer Ervin

BISHOP HOBART'S EMPHASIS ON CONFIRMA-
TION

By Julien Gunn, O. H. C.

THE PRIMARY CONVENTION OF THE DIOCESE
OF ILLINOIS

By Percy V. Norwood

"THOMAS BRAY"—A REVIEW OF H. P. THOMP-
SON'S BIOGRAPHY

By Samuel Clyde McCulloch

PUBLISHED QUARTERLY : \$1.25 THE COPY--\$4 THE YEAR

HISTORICAL MAGAZINE

of the Protestant Episcopal Church



PUBLISHED AT 5 PATTERSON STREET, NEW BRUNSWICK, NEW JERSEY, BY AUTHORITY OF GENERAL CONVENTION, UNDER THE DIRECTION OF A JOINT COMMISSION OF SAID CONVENTION, AND UNDER THE AUSPICES OF THE CHURCH HISTORICAL SOCIETY

EDITOR-IN-CHIEF

CAROL WALKER H. SCOTT, M.D.
5 PATTERSON STREET, NEW BRUNSWICK, N. J.

ASSOCIATE EDITORS

REV. DuBOIS MURPHY, M.A.
Tuscaloosa, Alabama

REV. EDWARD E. HARDY, JR., M.D.
New Haven, Connecticut

PROF. FRANK J. KLINGENS, Ph.D.
Los Angeles, California

REV. WILLIAM W. MANNING, Ph.D.
Philadelphia, Pennsylvania

DR. REV. EDWARD L. PARSONS, D.D.
San Francisco, California

FRANK RICHARD G. SALMONS, M.D.
Cincinnati, Ohio

JOINT COMMISSION OF GENERAL CONVENTION

DR. REV. JOHN D. WHEAT, D.D., *Chairman*

REV. WALKER H. SCOTT, M.D., *Vice-Chairman*

REV. C. RANKIN BARNES, D.D., *Secretary*

DR. REV. EDWARD L. PARSONS, D.D.

REV. WILLIAM W. MANNING, Ph.D.

DR. REV. BENJAMIN F. F. IVINS, D.D.

COL. JACKSON A. DICKINSON, D.C.L.

DR. REV. WALTER H. GRAY, D.D.

PROF. FRANK J. KLINGENS, Ph.D.

REV. C. MACLAREN BETHUNE, D.D.

FRANK RICHARD G. SALMONS, Ph.D.

LAWRENCE F. LONDON, Ph.D.

PUBLICATION AND EDITORIAL OFFICE: 5 PATTERSON ST., NEW BRUNSWICK, N. J.
Address all subscriptions to HISTORICAL MAGAZINE as above. Four Dollars per year in advance for subscriptions within the U. S. A. Five Dollars per year in advance for foreign subscriptions. Checks should be drawn payable to HISTORICAL MAGAZINE.

All communications and manuscripts for publication, including books and pamphlets for review, to be addressed as above. The editors are not responsible for the accuracy of the statements of contributors.

Entered as second-class matter September 17, 1885, at the Post Office at New Brunswick, N. J., with additional entry at the Post Office at Richmond, Va., under the Act of March 3, 1879.

HISTORICAL MAGAZINE

of the Protestant Episcopal Church



Vol. XXIV SEPTEMBER, 1955

No. 3



CONTENTS

	<i>Page</i>
THE ESTABLISHED CHURCH OF COLONIAL MARY- LAND.....	232
	<i>By Spencer Ervin</i>
BISHOP HOBART'S EMPHASIS ON CONFIRMATION...	293
	<i>By Julien Gunn, O. H. C.</i>
THE PRIMARY CONVENTION OF THE DIOCESE OF ILLINOIS.....	311
	<i>By Percy V. Norwood</i>
"THOMAS BRAY"—A REVIEW OF H. P. THOMPSON'S BIOGRAPHY.....	324
	<i>By Samuel Clyde McCulloch</i>

The Established Church of Colonial Maryland

By Spencer Ervin*



MARYLAND was founded in 1634 by a settlement at St. Mary's, on St. George's River, made under Leonard Calvert, brother of Cecilius, second Lord Baltimore, to whom upon his father's decease had been granted by Charles I the charter which was to have been issued to his father.

The territory granted centered in Chesapeake Bay. The Potomac River, from its source to its entrance into the bay, formed the major southern boundary, extended eastward of the bay to the Atlantic by an irregular line which passed just south of Watkins' Point.¹ The western boundary, not determined exactly until the present century, was a line drawn north of the sources, not completely ascertained, of the Potomac to the southern boundary of Pennsylvania, the parallel of which was long in dispute.² The eastern boundary was the Delaware line established in 1685,³ and the Atlantic Ocean.

Both east and west of Chesapeake Bay, rivers flow into the bay. On the western side these number six, the northernmost of which is the Susquehanna and the southernmost the Potomac; they are fed by navigable creeks. The rivers of the eastern side are not so important, but yet furnish some facilities for transport. In general, as in Virginia, water transport was easy, and land transport, especially north and south, the reverse. Also as in Virginia, tobacco became the staple crop and suffered similar fluctuations in price, with a downward trend not arrested until near the end of the colonial era.

*Mr. Ervin is a lawyer, an active churchman of the diocese of Pennsylvania, and secretary of the Church Historical Society.—*Editor's note.*

¹This line was run in 1668 and 1671: see, Charles M. Andrews, *The Colonial Period of American History: The Settlements*, 4 vols. (New Haven, 1934-1938), Vol. II, 359.

For visualizing this and the other Maryland boundaries, and the settlements, the reader will be much aided by Map #19, in J. T. Adams (editor), *Atlas of American History* (New York, 1943).

²Andrews, *ibid.*, II, 360-363.

³*Ibid.*, II, 361-363.

A Proprietary Colony

The Maryland charter made the proprietary "an absolute lord, with complete control over administration, defense, and the upkeep of his province."⁴

"The story of Maryland in the seventeenth century is that of the gradual breaking down of this rigid and inelastic proprietary control and of the hopeless efforts of the proprietary family to maintain its position and its charter rights in the face of a rising tide of popular and religious opposition and of the expansion of England's commercial and colonial policy."⁵

One reason for the gradual diminution of the proprietary's power was a charter provision requiring the proprietor, in making laws, to do so "with the advice . . . of the freemen of the said province, or of the greater part of them or of their delegates or deputies. . . ."⁶ For almost forty years from the foundation of the colony, there was unrestricted manhood suffrage. In 1670, a qualification of ownership of 50 acres of land, or forty pounds value of personalty, was introduced by legislation and remained in effect through the rest of the colonial period.⁷ The early assemblies were of a varied character: sometimes like a town meeting, sometimes representative, sometimes both. Gradually members of the governor's council became separated from the delegates or burgesses, and a bicameral system arose, in which the latter were a representative body.⁸

The charter gave the proprietary

"the patronage and advowsons of all churches which . . . hereafter shall happen to be built, together with the license and faculty of erecting and founding churches, chapels, and places of worship . . . , and of causing the same to be dedicated and consecrated according to the ecclesiastical laws of England." But the proprietary was a Roman Catholic. As Anderson remarks, these provisions "could neither be, nor were ever intended to be, executed according to their plain and obvious meaning."⁹

⁴Andrews, *Colonial Period*, II, 282. For the text of the charter, see W. S. Perry, *Historical Collections*, IV, 178-187 (translated). The Latin text is in Md. Archives, III, 3ff.

⁵Andrews, *ibid.*, II, 298.

⁶A. E. McKinley, *The Suffrage Franchise in the Thirteen English Colonies* (1905), p. 48.

⁷*Ibid.*, pp. 77-78.

⁸McKinley, *op. cit.*, pp. 50-51; Tyler, *England in America*, pp. 131-132. Cf. Andrews, *Colonial Period*, II, 300-301.

⁹James S. M. Anderson, *The History of the Church of England in the Colonies*. . . (2nd ed., London, 1856), Vol. I, 481.

Presumably any lawyer would say that these provisions are dual: they confer upon the proprietary the patronage of all churches which may be built; and they require that any which *he* may build shall be dedicated and consecrated according to the ecclesiastical laws of England: i. e. that they shall be Anglican. But they do not say that all churches which may be built shall be Anglican.

It has been said that "for sixteen years the only clergy in the colony were priests, who were so zealous in their propaganda that nearly all the Protestants who came in 1638 were converted to Catholicism and many later conversions were made."¹⁰ But these statements are challenged by an Anglican historian, the Rev. Dr. Nelson W. Rightmyer, who points out that Claiborne's colony on Kent Island enjoyed the ministrations of Church of England clergy; that Claiborne's account books for 1632 show charges for Bibles and Prayer Books; for 1633, they show charges for pewter dishes for "the house of J. C.," which may be presumed to refer to our Lord; and for 1635-1636, a payment of £5. 16. 8. to "Mr. Cotton Mynyster for his paines with us this yeare past." Dr. Rightmyer finds no contemporary evidence to support Tyler's statement as to conversions to Roman Catholicism in the period 1638-1650, and adds that between 1642 and 1650 at least three "Protestant" churches were built in the vicinity of St. Mary's.¹¹

Especially in view of the later establishment of the Anglican Church in the colony, it is of interest to ascertain if possible the approximate strength in the colony of each of the three main religious groups: Romans, Anglicans, and Dissenters.

The contemporary evidence is scanty and mostly confined to the end of the seventeenth century.

1. A paper prepared by Lord Baltimore for the Committee on Plantations in 1675¹² states:

¹⁰Tyler, *England in America*, pp. 125-126, 139. Like most secular historians and some Anglicans, this author employs the Puritan terminology by which the term *Catholic* is used exclusively for the Roman Catholic Church, and *priest* for the Roman Catholic clergy; Anglicans are Protestants without differentiation from other non-Romans, and Anglican clergy are *ministers* unless they are bishops.

¹¹In a conference with the present writer. Dr. Rightmyer has practically completed a large history, *Maryland's Established Church*.

¹²Printed without date or heading in Md. Archives, V, 133: "Proceedings of the Council, 1667-1675." Francis L. Hawks, *Contributions to the Ecclesiastical History of the United States*, Vol. II (*Maryland*), p. 51, says that Baltimore's paper was the result of the reference to this committee of the Rev. Mr. Yeo's letter to the archbishop of Canterbury, 1675, who referred it to the bishop of London, and the latter submitted it to the committee. Yeo, in this letter, complained of religious and moral conditions in the colony.

The greatest part of the inhabitants of that Province. (three or four at least) doe consist of Presbiterians, Independents, Anabaptists and Quakers, those of the Church of England as well as those of the Romish being the fewest. . . .

2. A statement by one "Richard Shepherd, master of the ship St. George, lately come from Maryland" to the Committee on Plantations, of about 1681, says he "believes there are thirty Protestants to one Papist in the Country. . . ."¹³ But this tells us nothing of the proportion of Church of England people, for these would be included under "Protestants."

3. Commissary Bray, in a memorial published in 1701,¹⁴ says that one-twelfth of the population was Roman; a somewhat larger proportion Quaker; a large majority of the remainder Church of England. This would give the Church of England some fifty per cent or more.

Henry F. Thompson, writing on Maryland at the end of the seventeenth century,¹⁵ and deriving his facts from papers of the Board of Trade in the Public Records Office, London, and from Fulham Palace Library, says:

"Of the population, there were about three thousand Quakers, a smaller number of Roman Catholics, about three thousand negroes, and nearly all of the rest were of the Church of England."

Unfortunately, he does not give the specific sources for these estimates. He numbers the population at 30,000 by the year 1700.

In 1760, the governor of Maryland called upon the citizens of his province to contribute to the relief of sufferers from a fire in Boston. Church of England people contributed 1503 pounds; the Quakers 134, the Presbyterians 107, the Roman Catholics 76, the Baptists seven, the Dunkers six, the Lutherans five. The contribution of the Church of England people was thus more than 81 per cent of the total. Gambrall, who gives these figures,¹⁶ believes that in some degree they indicate the relative strength of the religious communions.

In a letter of June 17, 1718, to the Rev. Mr. Astry, Commissary Henderson, who was in close touch with the legislature and therefore likely to have facts back of his opinion, and no occasion for overstating

¹³Printed without date or heading in Md. Archives, V, 301, "Proceedings of the Council, 1681-1685," under meeting date of "Monday 31 October 1681."

¹⁴Referred to in Hawks, *op. cit.*, II, 110; Anderson, *op. cit.*, II, 412.

¹⁵In *Maryland Historical Magazine*, II(1907), 164.

¹⁶Theodore C. Gambrall, *Church Life in Colonial Maryland* (Baltimore, 1885), pp. 45-46, 221.

Anglican strength in it, says that "one third of the Assembly are Dissenters, and the other two very low."¹⁷ This opinion may be presumed to refer to the House of Burgesses, since the Council, which constituted the upper house, had a usual strength of only nine or ten persons,¹⁸ nominated moreover in England,¹⁹ and so likely to be Anglicans. The "very low" probably refers to the Puritan group in the Church of England.

The Establishment of the Anglican Church

The importance of the religious composition of the population lies in its relation to the question: How did it happen that the Maryland Assembly was willing to "establish" the Church of England, that is, give it state support through taxation, which, as we shall see, it did about the turn of the century? Perhaps the answer is to be found in the anti-papal sentiment engendered by the efforts of James II to further Roman Catholicism, and by the birth of a son to his Roman Catholic wife, followed by his flight and the proclamation of William III and Mary as sovereigns. The Maryland colonists may have decided to establish the Church of England because it was the Church of the new sovereigns, and loyalty to the homeland fitted in well with it.²⁰

There was at first religious toleration for all Trinitarians, owing both to the tolerant disposition of the proprietary and to the necessities of his position as a Roman Catholic proprietary chartered by an Anglican government and ruling a population chiefly non-Roman.²¹ The Commonwealth period, however, gave the Puritans, some of whom had come into the colony from Virginia, their opportunity, and in 1654 they installed a Puritan government which disfranchised Roman Catholics. But this government, because of the weakening of the Puritan regime in England, and the astute policy of the proprietary, lasted only until 1657, and toleration returned with its overthrow.²² An-

¹⁷Printed in W. S. Perry, *Historical Collections*, IV, 112-113.

¹⁸N. D. Mereness, *Maryland as a Proprietary Province* (New York, 1901), p. 175, gives the figures for membership of the Council from 1636 on.

¹⁹H. L. Osgood, *The American Colonies in the 18th Century* (4 vols., New York, 1924-25), III, 100. On the Council, see Labaree, *Royal Government in America*, p. 135.

²⁰I owe this suggestion to Dr. Rightmyer.

²¹E. B. Greene, *Foundations*, pp. 73-74. Tyler, *England in America*, pp. 125-126. Andrews, *Colonial Period*, II, 310-312. E. B. Greene, *Religion and the State* (New York, 1941), pp. 53-56. W. W. Manross, *History of the American Episcopal Church* (2d ed., New York, 1950), pp. 35-36.

²²Andrews, *Colonial Self-Government*, pp. 232-239; *Colonial Period*, II, 312-322. Greene, *Foundations*, pp. 75-77; *Religion and the State*, p. 56.

other upsurge of anti-Roman activity came in 1689, following the Revolution in England which expelled James II and brought in William III. A group calling itself the "Protestant Associators" seized the government of the province,²³ William III's government, though it did not leave this group in control, terminated proprietary rule, though not proprietary ownership, and sent over a royal governor. The "establishment" of the Church of England in the province, which followed between 1692 and 1702, did not penalize Roman Catholics, but legislation of the following twenty years deprived them of the suffrage, of office, and of the right to hold public religious services, and imposed other disabilities, all of which remained through the remainder of the colonial period.²⁴

The first royal governor arrived in 1691 in the person of Sir Lionel Copley. The first assembly under royal government, meeting in 1692, proceeded to "establish" the Church of England, but the act by which it did so was not carried out until Sir Francis Nicholson arrived in 1694 to succeed Copley, who had died in 1693. But when Nicholson applied for royal approval of the act, it was disallowed because of the uncertain effect of a clause by which "the Great Charter of England" (Magna Carta) was to be "kept and observed in all points." An Act of 1696, adopted to replace it, was disallowed because of a foolish clause requiring that in every place of public worship within the province the Book of Common Prayer be used. The next act, in 1700, strangely repeated this provision and was also disallowed. Finally, in 1702, the assembly enacted provisions previously approved in England and this act was permitted to stand. The provisions of each of the acts are of some interest and will be reviewed below.

The "Church Acts," as they have come to be called, of 1692, 1696, 1700, and 1702, present some curious deficiencies of content as well as the usual ones of form.

The Act of 1692²⁵ directed the county justices, with the aid of such of "the most principall Freeholders of the severall Counties" as they chose to call upon, to lay out parish boundaries. Execution of this direction before the disallowance of the act made repetition of it in the succeeding acts unnecessary, though parish boundaries were

²³On this revolt, see B. C. Steiner, American Historical Association, *Annual Report*, 1897, pp. 281ff.

²⁴Osgood, *18th Century*, II, 11-12; Adams, *Provincial Society*, pp. 155-156; Andrews, *Colonial Period*, II, 371-376, and *Colonial Self-Government*, pp. 279-283; Manross, p. 75.

²⁵Md. Archives, XIII, 425, from sessions laws Lib. L. L. No. 1, p. 2. Approved June 9, 1692, by Governor Copley.

from time to time altered, and some parishes divided, by later special acts.

Qualification, appointment, and installation of the parish clergy is not mentioned in this act or in the later ones for the reason that the bishop of London determined qualification, and the proprietary, or the royal governor, as the case might be, appointed and inducted.

A salary of forty pounds of tobacco per poll of the taxable persons in the parish was granted. The constables were directed to furnish to the vestry a true list of taxables, and the vestry to assess and the sheriff collect and pay over to the vestry. The persons taxable were defined by another Act of 1692,²⁶ which with unimportant amendments continued in effect for the rest of the colonial period, as all freemen except priests, ministers, or paupers, of sixteen years and over, and all slaves and imported male servants of this age.²⁷

But this first Church Act of 1692 took account of the fact that as yet there were few Anglican clergy in the province and that church buildings as well as clergy were requisite, by enacting that unless a church or chapel had already been built, the vestry should erect one with the first proceeds of the tax. After that had been done, the tax was to be applied "to the use and benefit of the minister of that Parrish." If there were still no minister, it was to be used for repairs to church or chapel or other pious uses at the vestry's discretion.

As to a vestry, the act directed that after the parishes should have been laid out, the freeholders of the parish should meet at a place appointed by the justices "and there make choice of six of the most able men of the said respective Parishes to be a Vestry. . . ." The vestrymen so selected were empowered to fill vacancies in their own number, thus making the vestry a self-perpetuating body. The powers or duties²⁸ of the vestry were to assess the 40 pounds tax, receive it from the sheriff when collected, build and repair church and chapel, pay the parson, receive gifts and devises of land or personalty for the benefit of any minister or of the poor, and sue for these as if incorporated. There was no provision for the election of wardens, or as to vestry meetings. Levy of the tax provided was postponed until March 10, 1693; the other terms of the act went into effect with approval of the act.

²⁶Md. Archives, XIII, 538, from Lib. L. L. No. 1, p. 202 Act approved by Governor Copley, June 9, 1692.

²⁷See Mereness, *op. cit.*, pp. 341-342, reviewing the legislation from the earliest Act—that of 1654—to the latest, 1725.

²⁸Some acts are treated as powers, others as duties.

This act was disallowed in England because of the uncertain effect of a provision extending Magna Carta to the province.

The Act of 1696,²⁹ adopted after disallowance of that of 1692 had become known, has an interesting recital that the 40 pounds tax is provided because

"the Constitution of this Province being in its Infancy will not admit of raising a Maintenance for Ministers by way of Tyths as in England."

As in the Act of 1692, the sheriff is to collect the tax and pay it over to the vestrymen; but the act adds: "or [on] their Order to the minister of the parish"; nothing is said as to who makes the assessment. Out of the tax proceeds, the minister is to pay a parish clerk of his own selection 1000 pounds of tobacco a year. Vestrymen are strictly enjoined not to withhold any part of the parson's salary on the pretext of finishing or repairing the parish church, since they "will have received the forty pounds of Tobacco per poll for three years for the building a Convenient Church in every parish within this province which is thought to be sufficient for that end and purpose."

The parson is to be the "Principall vestryman," i. e. the president of the vestry. The vestry remains self-perpetuating. It is to elect annually in January two sober and discreet freeholders to be wardens, and is to choose a register and to record marriages, births, baptisms and burials, for the due and correct entry of which the vestry is made responsible under penalties.

Wardens and vestrymen are to repair churches as needed. They are again made a body corporate for limited purposes, but this time the purposes are more broadly stated: maintenance of a minister, building a church, and receiving gifts and devises, with power to sue or be sued concerning these. No separate duties are specified for the wardens.

Governor Nicholson at first refused to approve the act, for reasons which were among those mentioned by the English authorities in disallowing it, but permitted himself to be persuaded by the opinions of some of the provincial lawyers.³⁰ Not included among his objections was a provision requiring the use of the Book of Common Prayer in all places of worship in the province; this was a further ground of disallowance in England.

²⁹Md. Archives, XIX, 426, from Lib. L. L. No. 2, 125; approved July 10, 1696, by Governor Nicholson.

³⁰See Md. Archives, XIX, 390, 393, 395-398.

The succeeding Act of 1700⁸¹ omitted some of the objectionable provisions of the Act of 1696, but unfortunately retained the compulsory use of the Book of Common Prayer and was disallowed in England. The changes from the Act of 1696 requiring notice here are that the number of vestrymen is to be "at least six" instead of six; the vestry is to meet as often as summoned by the "principal vestryman"; a fine is imposed for absence from vestry meetings; parish charges and repairs may be paid out of the 40 pounds tax only if there is no incumbent; if there is one, they are to be defrayed out of gifts, grants, goods and chattels (except gifts of land), and if these are not sufficient the vestry may apply to the county justices for a special levy of not exceeding ten pounds per poll per annum; the purposes for which parish funds may be spent now include ornaments and accessories and the education of the poor.

The final Act of 1702⁸² has a number of new features. It confines to Anglican churches the required use of the Book of Common Prayer, and in addition specifically says that all Dissenters are to have liberty of worship. The sheriff is to pay the proceeds of the 40 pounds tax direct to the parson. The vestry is termed "select," though of course this description added nothing to the existing fact. Vacancies in the vestry are now to be filled not by the vestry but by the tax-paying freeholders of the parish, who are also to join with the vestrymen in choosing the wardens. The first Tuesday in each month is fixed for vestry meetings, but special meetings may be called by the parson or by three vestrymen, or even by two if there be only two. Three is made a quorum for meetings. Each Easter Monday two vestrymen are to be retired, and two others chosen in their places, by vote of the tax-paying freeholders. The vestry may remove any of its members for failure to attend meetings. Any person in the parish, or the parishioners as a body, may complain to Governor and Council of "any Acts, Orders, Rules, Accounts or other proceedings" of any vestry, and the Governor and Council are to hear and give judgment upon the complaint.

How much the Assembly kept vestries under its eye is illustrated by the case of Great Choptank vestry in Dorchester county, which after erecting a chapel of ease at Vienna, planned to erect another less than five miles away from the first. The Assembly held an open hearing,

⁸¹Md Archives, XXIV, 91, from Lib. L. L. No. 2, p. 372. Approved May 9, 1700, by Governor Blakiston.

⁸²Md. Archives, XXIV, 265, from Lib. L. L. No. 2, p. 401. Apparently approved on the ending date of the session, March 16, 1701/02, by Governor Blakiston.

called the vestry before it, and vetoed the project, even though the funds for the chapel were to come from voluntary contributions. The Assembly ruled that the vestry might not build a chapel without permission of the Assembly.⁸³

A supplementary Act of 1704⁸⁴ recites that the Act of 1702 had failed to provide for disposition of the 40 pounds tax where there was no incumbent, and directs that in such case it be employed, in order, for the repair or completion of the interior of churches already built; for purchasing accessories; for building a new church if the original is so out of repair as to be unfit for use; and for the purchase and stocking of adjacent land for a glebe. A further supplement of 1730⁸⁵ orders that the two vestrymen to be retired annually shall be "the two eldest vestrymen," but whether in years or in service is not made clear. The men retired are excused from further service for the ensuing three years. Non-Anglicans are exempted from vestry duty.

It should be noted that

"throughout the colonial period the vestry elections were more limited than the suffrage for the Assembly; in the former elections only tax-paying freeholders could vote, while in the latter freeholders of fifty acres or owners of forty pounds personal estate were entitled to the franchise, and in Annapolis the suffrage included many, if not all, householders."⁸⁶

The grant to the tax-paying freeholders of the parish of the right to fill vacancies in the vestry and to choose the wardens, and the power given to any three vestrymen to summon the vestry were certainly, and the provision for hearing complaints was probably, due to objections made by Attorney-General Northey of England to the next preceding Act of 1700. He said that select vestries were "contrary to the law and practice in England, where the whole body of the parishioners was admitted to a vote and share in parish business," but that "if a Select vestry were to be, it is reason they should be chosen by all the Inhabitants whom they are to represent"; that the power of the vestry to choose wardens was contrary to the law and practice of England, where the minister chooses one and the parishioners the other, but by custom in some parishes the parishioners choose both;

⁸³Md. Archives, XXV, 527-529. I owe this reference to Dr. Rightmyer.

⁸⁴Md. Archives, XXIV, 420, from Lib. L. L. No. 2, 440; approved May 2, 1704.

⁸⁵Md. Archives, XXXVII, 184, from Sessions Laws; Ch. XXIII of 1730.

⁸⁶McKinley, *op. cit.*, pp. 76-77.

and that it was contrary to His Majesty's instructions to the governor of Maryland that the minister should be the only person empowered to summon a vestry.³⁷

Working Conditions of the Clergy

A curious feature of all the Church Acts and their supplements is their failure to provide for either parsonages or glebes, with a limited exception in the case of the supplementary Act of 1704. The omission is all the more surprising in view of proposals made in the Council in 1694, to amend the Act of 1692 so that care be taken "for building of Houses for the Ministers and to finde out a way (if possible) by Contribution or otherwise for settleing a Glebe in each parish."³⁸ The same record states:

"That if a way can be found to build a house in every p'ish for the ministers his Exncy does propose to give five pounds of sterling toward building every such house begun in his Exncys time & his Honor Sr. Thomas Laurence Barront Secretary does likewise propose that he will give towards the building of the first Tenemt. houses which shall be built as afd. the Sume of 1000 l. of Tobacco towards each house. And if they find such a way for Glebes his Exncy Does propose to be at the charge of Surveying the same during his Exncys time."

The generous governor referred to is Sir Francis Nicholson.

In a communication of May 1696 to the bishop of London, signed by eight clergy,³⁹ it is said that there are as yet no parsonages or glebes save at St. Mary's. When about 1676 Lord Baltimore had told the Committee on Plantations, to which the bishop of London had referred the well-known plaint of the Rev. John Yeo,⁴⁰ that four ministers of the Church of England were in possession of plantations from which they derived a decent subsistence,⁴¹ he was referring not to

³⁷Perry, *Historical Collections*, IV, 49-50, where the source is not indicated, but is presumably the records of the Board of Trade or the Fulham Palace archives.

³⁸Md. Archives, XIX, 35 (September 24, 1694).

³⁹Perry, *Historical Collections*, IV, 8-13.

⁴⁰See above, Note #12. Yeo's letter is summarized in W. H. Hutton, *The English Church from the Accession of Charles I to the Death of Anne* (London, 1903), pp. 308-309.

⁴¹See Hawks, *Contributions*, II, 51.

glebes but to settlers' allotments. "An Account of Glebe Lands within the Province of Maryland, according to returns made of the same by the Sheriff,"⁴² mentions four glebes, two of which, as described, are evidently within the same parish. Scattered notices of vestry action, and legislation, show purchases of glebe lands by vestries.⁴³ The only general act relating to glebe is that of 1704, already mentioned, prescribing the disposition of the 40 lbs. per poll tax where there is no incumbent. If there be no church, the act allows the purchase of land for one, the land to be a glebe; or the improving and stocking of an existing glebe. The inference from the scanty facts is that glebes were obtained by gift or devise and by vestry purchase.⁴⁴

Regarding parsonages, the replies made in 1724 by the Maryland clergy to queries by Bishop Gibson⁴⁵ show these to exist (two of them in poor condition) for eight of twenty-two parishes; as some of the replies are vague or wanting, there may have been as many as four more. In the same replies, glebes are listed for fifteen parishes, two of which are described as poor. It is certain that before the Revolution glebes were provided for additional parishes, and it is quite possible that parsonages were also, but the number of each remains uncertain from the sources consulted.

What of churches and chapels? The Church Act of 1692 had provided that vestries, with the first revenues granted them (referring, as the sequel shows, to the forty pounds per poll tax), were to "erect and build one Church, &c., in the Parish, (such Parishes as have already Churches and Chapels built in them excepted)." Before this act was disallowed, Governor Nicholson caused the collection of the accumulated tax credits and their use for building churches.⁴⁶ Specific authority to build churches and chapels seems not to have been conferred by any of the later Church Acts or their supplements, with the possible exception of that of 1696, but it was frequently conferred by

⁴²Perry, *Historical Collections*, IV, 23-24, gives the text, but neither date nor source.

⁴³Perry, *ibid.*, IV, 116-117; Md. Archives, XXIV, 289-290; XLVI, 611 (special Act of 1751); LVIII, 498 (special Act of 1763).

⁴⁴In 1817, Bishop Kemp told his diocesan convention that "most if not all" of the glebes "had been given to the church by individuals" (*Journal*, 1817, p. 8).

⁴⁵Perry, *op. cit.*, IV, 190-231.

⁴⁶Hawks, *Contributions*, II, 77-78, citing Md. MSS in Fulham Palace archives, and Perry, *Historical Collections*, IV, 8-13. See also, the Council proceedings of 1695 and 1696 recorded in Md. Archives, XX, 283-284, 388, 584.

⁴⁷See Bacon's *Laws*, *passim*: e. g., Acts of 1727, Chap. X; 1728, Chaps. XIX, XXV; 1729, Chaps. X, XI; 1732, Chaps. XII, XXVIII, XXIX; 1733, Chap. X.

special act.⁴⁷ By 1700, churches had been erected in "most" parishes.⁴⁸ By 1724, every parish had a church, and all but one, which was of small revenue and in a wet and low part of the country, had its parson.⁴⁹

The number of parishes, originally 30 for ten counties,⁵⁰ was 34 for twelve counties in 1730;⁵¹ in 1775, it was 44.⁵²

The number of clergy in 1700, when Commissary Bray held his only visitation, was seventeen, not including the commissary.⁵³ In or about the same year, fifteen parish churches had no parson.⁵⁴ In 1715, Governor Hart reported to the bishop of London six vacant parishes, two of which, however, he said, were too small to maintain an incumbent.⁵⁵ In 1730, a visitation of all the clergy by Commissary John Lang showed 32 clergy for the 34 parishes, with only one parish vacant, for in one instance a clergyman served two parishes.⁵⁶ In 1775, every parish had a parson.⁵⁷

The parishes were too large for proper service by one man, and yet, from 1692 to about 1750, their sparse population, in combination with the low price which Maryland tobacco commanded, and the poor quality of it tendered the clergy and officials generally for salaries or dues, would have made reduction in size an impossible hardship for the clergy.

Let us consider some specific figures for the areas which the parsons were obliged to serve. In the replies of 1724 by 22 clergy to Bishop Gibson's inquiries,⁵⁸ the smallest dimensions given for a parish

⁴⁸Bray's *Memorial of 1700*, summarized in Hawks, *Contributions*, II, 110; and see Perry, *Historical Collections*, IV, 34-40.

In 1714, the replies of the clergy to Governor Hart's queries (Perry, *ibid.*, 75-77) state that in most parishes there are enough churches. This phrasing, queer on its face, has in mind the fact that because of the size of the parishes, subsidiary churches, called chapels, were often needed.

⁴⁹Perry, *op. cit.*, IV, 231.

⁵⁰Md. Archives, XXIII, 17-25, proceedings of the Council, Feb. 1, 1696. Hawks says (*Contributions*, II, 72-73) that the ten counties were divided into 31 parishes under the Act of 1692, but the list of February 1696 certainly totals but 30.

⁵¹Perry, *Historical Collections*, IV, 288-289, visitation of Clergy by Commissary John Lang of June and July, 1730. But Hawks (*Contributions*, II, 169-170) mentions, without identifying, a MS report to Bishop Gibson just after his entry into the see of London, and therefore of 1723 or 1724, as giving for that time 38 parishes for twelve counties.

⁵²Perry, *ibid.*, 345-347; Hawks, *ibid.*, 282.

⁵³Hawks, *ibid.*, II, 499-500, reprinting the proceedings.

⁵⁴Perry, *op. cit.*, IV, 34-40.

⁵⁵Perry, *ibid.*, 80-82. The actual wording is: "two small ones not sufficient to maintain" etc. It is quite possible that "small" refers to population rather than to area.

⁵⁶Perry, *ibid.*, 288-299.

⁵⁷Perry, *ibid.*, 345-347; Hawks, *Contributions*, II, 282.

⁵⁸Perry, *ibid.*, IV, 190-231. No identification of source or purpose is given for the text, but the date 1724 in the upper corners of the pages, and the heading, identify it.

are eight miles by eight. Many parishes were 30 miles or more by ten or more. One is given as 70 miles long by from four to twenty in breadth. Commissary Wilkinson, writing the bishop of London the same year, 1724, says:

For should I tell your Lordship that many of us ride in a morning almost 20 miles, and in summer time preach in the forenoon at one church and in the afternoon at another, and others preach every day in the week once in the month thro'out the whole year, where the parishes are of so large an extent, and the people so far distant from the church, that otherwise they would not have the opportunity of any instruction in the Christian religion; these things are true, which together with the many visits we are obliged to make on visiting and administering the Sacrament of the Lord's Supper to the sick and aged, and private Baptism to weak and young children, gives us little ease and respite. Yet notwithstanding we have an absolute necessity of an ecclesiastical jurisdiction and yt some person be sent over either with an episcopal or delegated authority to correct the immoralities of the ill affected, otherwise I fear that some thing may pass in the next assembly to the prejudice of our church.

The last sentence in this quotation brings us to the thorny topic of the conduct of the Anglican clergy and its relation to hostility toward the clergy in the Assembly, and especially in the House of Burgesses. Here the first question to be asked is: What was the character and extent of clerical misbehaviour? That there was some misconduct appears not only from complaints by the House of Burgesses,⁵⁹ but from admissions by commissaries, statements by governors, and others.⁶⁰

As to the number of clergy guilty, contemporary opinion varies from "many" to two. The subject awaits a careful study, on which a beginning has been made, with provisional results favorable to the clergy.⁶¹

Clerical misconduct, to the extent that it existed, was closely related to a deficient ecclesiastical control of the clergy. The bishop of London's license was required for service in Maryland, as in any colony. But he had no power to appoint to cures. This power, in Maryland, was in the proprietary, or his deputized governor; or, under

⁵⁹Md. Archives, XXXV, 39, 65, 164—(1724). These three references all relate to the same occasion or occasions.

⁶⁰Perry, *op. cit.*, IV, 246-247 (1724); *ibid.*, 79-82, 323-324, 331-332, 334-335. For Bray's Visitation of 1700, see Hawks, *Contributions*, II, 499, 507-516; *ibid.*, 121, 129-131, 135, 176, 179, 212-213, 219-220, 250-252.

⁶¹See N. W. Rightmyer, *HISTORICAL MAGAZINE*, XIX (1950), 112-132.

royal government, in the governor alone.⁶² Once licensed, the clergyman, fit or unfit, could obtain a cure through a nomination by proprietary, deputized proprietary governor, or royal governor, followed by induction by the governor. There are some contemporary complaints of bad appointments by the proprietary.⁶³ Bray tried to improve the situation by giving to the commissary the power of induction while leaving to the governor that of presentation, but his proposal was not adopted.⁶⁴ Then there was the absence of machinery for removing the unfit parson. In England, although mere neglect of duty could not be punished, active misconduct could be. But this was not so in Maryland. Once in, the clergyman could defy all attempts to get him out,⁶⁵ for he had been regularly inducted, and not retained on an annual basis as was usual in Virginia. The method of procedure laid down by Bishop Gibson for his commissaries to use in disciplining clergy included sentences of suspension and deprivation,⁶⁶ but there seems to have been no instance in which either kind of sentence was executed in Maryland.

There had been at one period, from soon after the establishment of royal government and of the Church, until perhaps the end of royal rule in 1714, a favorable opportunity for effecting discipline by means of an adequately empowered and revenue commissary, even one in episcopal orders. Governor and legislature were in a favorable atti-

⁶²A. L. Cross, *The Anglican Episcopate and the American Colonies* (New York, 1902), pp. 4-5, says that the royal governors had not the power "of patronage, or of presentation in any way except by lapse" (i. e. failure of the presenting agency to present), and that presentations in royal colonies were by vestries. But as to Maryland, which was not a royal but a proprietary colony, this surely does not apply. No power of presentation was conferred upon vestries by any of the Church Acts, and as presentation was not a normal function of vestries, there would be no reason to imply it. Furthermore, the (ultimate) Church Act of 1702 said that every minister "presented, inducted or appointed" by the governor was to receive 40 pounds per poll of tobacco. [Cf. Hawks, *Contributions*, II, 113, who (pp. 121-122) seems to have no doubt that in Maryland the royal governor presented.]

⁶³Perry, *op. cit.*, IV, 331-332, gives one by two Maryland clergy to the bishop of London in 1753, and (pp. 334-335) one by a visiting Massachusetts clergyman in 1767. The subject of the quality of appointments by royal governors and proprietaries invites study.

⁶⁴Hawks, *op. cit.*, II, 121-122. He does not cite his source, but it is presumably a MS in the Fulham Palace archives. Note his incisive comment, pp. 122-124.

⁶⁵Cross, *op. cit.*, pp. 6-7, citing in Note #2, p. 6: Hawks *op. cit.*, II, 190. See also, Hawks, *ibid.*, II, 207-208, 220; and see the excerpt from the letter of Governor Eden, *ibid.*, II, 255-256.

⁶⁶Cross, *op. cit.*, p. 61, summarizes Gibson's *Methodus Procedendi*, and, pp. 294-309, reprints it in full from the copy in the Fulham Palace Library.

tude,⁶⁷ but the opportunity was not seized in England. Thereafter, indiscretions by Henderson, one of the two commissaries appointed in 1716; the jealousy of governors for their powers; the gentry's fear of clerical censure of their doings; lack of definite ecclesiastical authority with crown backing; and finally the hostility of the legislature, especially of the Burgesses, prevented effective ecclesiastical action.⁶⁸

The 40 pounds per poll salary provided for the clergy by the first Church Act and its successors contemplated, says Hawks,⁶⁹ a living worth one hundred pounds sterling, but the number of tithables was such that it would yield in reality but twenty-five pounds, "and in many instances the clergyman's tobacco income was but sufficient to provide him with his clothing." A memorial published by Bray upon his return to England in 1700,⁷⁰ says that the 40 pounds per poll would on the basis of tobacco prices for the three years next preceding, yield about 80 pounds sterling per annum in the best parishes, but in twelve parishes the livings were worth not more than twenty-five or thirty pounds sterling because of the sparseness of the population, and there was reason to fear that tobacco would be less valuable in future, a prophecy which proved true for many years to come.

A memorial of 1696 to the bishop of London, signed by eight men,⁷¹ complains that some of the clergy were compelled to give their clerk 2,000 pounds of tobacco per year (instead of the 1,000 stipulated by statute) because of the distance he had to travel on his duty; that the planters keep the refuse and discolored tobacco with which to pay the sheriff and the clergy, tobacco which is hard to sell because the merchants do not want it; and that all the subscribers have to keep one horse and some of them two; and that board and horses take one-fourth of their maximum income, and the rest will hardly suffice to find them with clothes and other necessities because of the high prices of English goods and the low barter value of their tobacco.

A memorial of 1700⁷² says that the forty pounds per poll "raises but a very poor Support for ye Incumbent in a parish of 30, 40, or 50 miles length & in all its Dimensions larger than some English counties."

⁶⁷See Md. Archives, XIX, 35, 91-93, 176, 230; XXII, 255; also Perry, *op. cit.*, IV, 51; Hawks, *op. cit.*, II, 81.

⁶⁸All these elements appear in the admirable account by Hawks, *Contributions*, II, 118-119, 124-125, 128-129, 134-135, 150-152, 154, 156-160, 165-166, 175-180, 192-214, 230, 232-233, 245-247, 253-255, 261-269.

⁶⁹*Contributions*, II, 80, citing "Maryland MSS: from archives of Fulham."

⁷⁰Summarized in Hawks, II, 110.

⁷¹Perry, *Historical Collections*, IV, 8-13.

⁷²*Ibid.*, IV, 34-40.

In 1711, one Alex Adams writes the bishop of London⁷³ that he is serving the whole county of Somerset with four parishes and six congregations, and travels 200 miles a month. The tobacco he receives in pay is worthless; it won't buy a shirt. Ten shillings is all he has had from October to July. He wants a post as chaplain to some man-of-war so that he may pay his debts and return to his parish as soon as times amend.

In 1714, replies by twenty-one clergy to inquiries by Governor Hart⁷⁴ say that "most of our Parishes have but very bare competency."

Replies of 1724 by twenty-two clergy to inquiries by Bishop Gibson⁷⁵ show, for the thirteen cases in which the clergyman was willing to venture an estimate, a sterling value for livings ranging between twenty pounds and two hundred, but, and this is important, with considerable variation from year to year. Thus the incumbent who mentioned two hundred pounds said that his minimum was under sixty.

By 1741, the "maintenance" of clergy is rated by one Maryland clergyman of the day,⁷⁶ "as good as anywhere," benefices being worth at least two hundred pounds per annum. The date of 1741 for this improvement is a little surprising, for, as we shall see, the permanent improvement in tobacco prices dates from 1747.

This story of penury from 1692 to perhaps 1741, followed as will appear, by plenty from then till the end of the colonial period, is simply that of the fall and rise of tobacco prices and of the deterioration and improvement of quality, in conjunction with the system of paying all official dues—and the clergyman was in effect an official—in tobacco. Naturally the planter kept his best tobacco for sale and the poorest for discharging dues. Mereness tells the story of tobacco thus:⁷⁷

So well adapted to the raising of tobacco was the soil of most of these estates that attempts to encourage the raising of other products proved largely futile. So the quantity of tobacco grew with the increase of population; while the ease with which those escaped detection who mixed worthless with good tobacco lowered the quality and created for the Maryland product a bad reputation. Furthermore, the several European wars at times endangered the carrying trade and decreased the demand. As a consequence, the price of tobacco fell from three pence per pound in 1649 till the product became a drug on the market in 1666, and because of the obstacles in the way

⁷³Perry, *Historical Collections*, IV, 63.

⁷⁴*Ibid.*, IV, 75-77.

⁷⁵*Ibid.*, IV, 190-231, where, however, the origin of the inquiries is not stated.

⁷⁶The Rev. Hugh Jones to the Bishop of London, in Perry, IV, 323-324.

⁷⁷*Maryland as a Proprietary Province*, pp. 106, 112.

of a proper regulation the prices seldom rose above a penny per pound until after 1747, when those obstacles were at last overcome. . . .

The great obstacle to the needed legislation lay in the fact that the lower house was scarcely less eager to reduce the fees of officers and the dues of the clergy than it was to save the tobacco industry. It held that any law which was designed to raise the price of tobacco should, in fairness to all, diminish the quantity to be paid to the officers, and to the clergy. . . . The question of officers' fees thus became a hindrance to the passage of a good tobacco law; for so long as officers' fees were not subject to regulation by the Assembly, the value of those fees was almost certain to be increased by any law that advanced the price of tobacco.

An Act of 1747,⁷⁸ modeled on the successful Virginia inspection act, and continued in effect through the rest of the colonial period save for a gap between 1770 and 1773, raised the price of tobacco to such an extent that by the date of the Revolution the Maryland clergy were better paid than those of any other colony.⁷⁹

Such were the conditions under which the clergy lived and worked in this land of sparse population, poor communications, and uncertain salaries. We return now to political developments between the commencement of royal rule with the arrival of the first royal governor in 1691, and the outbreak of the War of Independence.

Political Developments

Governor Nicholson, who served from 1694 until his promotion to the governorship of Virginia in 1698, was both friendly and generous to the Church.⁸⁰ He was succeeded by Blakiston, who because of ill health served only from 1699 to 1702, and then in 1704 by Col. John Seymour. The latter refused to agree to a proposal made to him in England, just before his departure to take up his duties, by Bishop Compton, presumably at the instance of Bray, that Bray's successor as commissary, already named, have the power of induction, and control over the probate of wills, both of which, as was customary, were vested in the governor by the crown.

⁷⁸Md. Archives, XLIV, 595, from Sessions Laws, P. 8, Ch. I.

⁷⁹Mereness, pp. 113-118, 455-456. "A Conjectural Estimate" of the annual values of Maryland livings in 1775 appears in Perry, *Historical Collections*, IV, 343-344.

⁸⁰Anderson, II, 403-404; Osgood, *Eighteenth Century*, I, 366; II, 12.

"As the fees attached to these rights formed part of the perquisites of every governor, the request of the commissary was an attack upon his pocket-book as well as upon his dignity, and the governor was very understandably angry about it."⁸¹

Lydekker's comment, just quoted, is upon a memorial by Bray⁸² describing the circumstances of the proposal, made after a dinner at Fulham Palace, to which Bishop Compton had brought Bray and Michael Huitson, archdeacon of Armagh, named Bray's successor in the office of commissary, to meet Seymour. Bray and Huitson withdrew after dinner to allow Compton to put the matter to Seymour, who emerged from the conference furious, and charged Bray and Huitson with trickery in not having consulted him before approaching Bishop Compton. It is permissible to take a different view of the incident from Lydekker's. Hawks refers, in another connection to be sure, to Seymour's "pompous self-importance" and to his determination "to be sole ruler both in Church and state."⁸³

It was unfortunate indeed for the Church in the colonies that Church authorities in England did not, in the Restoration period (1660-1685), or even in Queen Anne's time (1702-1714), press for alteration of the custom which had grown up in the early days of the colonies, before the relation of the bishop of London to the colonies had become fully established, of conferring upon colonial governors power over inductions, probates, and marriage licenses, because these would then have been otherwise unprovided for.⁸⁴ Hawks well says:

"Had the Church been left more free of the governors, and had the rightful powers of discipline been sustained in the commissaries, better clergymen, and better subjects, would have been the consequence."⁸⁵

The consequence of Seymour's anger was an unalterable opposition on his part to the presence of any commissary in Maryland during his term. Michael Huitson could never go out to Maryland, and there was no commissary on the ground again until 1716, when Christopher Wilkinson and Jacob Henderson, both already resident in Maryland, were appointed, on the recommendation of the governor, John Hart, and the clergy, for the Eastern and Western shores, respectively.

⁸¹J. W. Lydekker, *HISTORICAL MAGAZINE*, XII(1943), 210.

⁸²Printed in Perry, IV, 57-63.

⁸³*Contributions*, II, 134.

⁸⁴As to this origin of the custom, see Cross, *op. cit.*, pp. 4-5.

⁸⁵*Contributions*, II, 123.

Governor Seymour died in office in 1709. Edward Lloyd, president of the Council, served as acting governor until the arrival of John Hart as governor in 1713. Charles Calvert, proprietary at the time of the change to royal government in 1690, died early in 1715. His son and heir, Benedict, had become an Anglican in 1713. He died a few months after his father, leaving a minor son Charles, to whom George I, who succeeded Queen Anne in 1714, restored the right of government. Charles' guardian, Lord Guilford, appointed John Hart, already serving as royal governor, proprietary governor at the end of 1715, and the first assembly under the restored proprietary government met the following April. The change

"meant loose and inefficient government, even when measured by the low standards of that time. Proprietors had neither the means nor desire to make it anything essentially different. The instructions which they gave their governors were few and meagre. . . . The home government also lost the right to inspect the legislative and executive journals and also to a large extent its control over the legislation of the provinces. The avenues through which appeals might be sent to England were also neglected or wholly closed."⁸⁶

It should be noted also that it now became more difficult for the bishop of London to aid his commissaries and clergy in Maryland. The crown could instruct a royal governor; it could not instruct the proprietary or his governor, unless it could be said that ecclesiastical affairs were within the exclusive cognizance of the bishop of London. There were, as we have seen, definite exclusions from the ordinary episcopal field: inductions, wills, and marriage licenses fell to the proprietary, and so to his governor. In remaining matters, there had been a lack of definition. Cross says:

The situation of the Church of England here [i. e. in Maryland] was much confused . . . due partly to the fact that the respective rights of the Bishop of London and the lord proprietary had never been definitely marked off from each other, a circumstance which gave rise to frequent misunderstandings and conflicts. In theory the chief control of the ecclesiastical affairs of the colony was in the hands of the Bishop of London and his representatives; but practically the proprietary and his agent, the governor, had a not inconsiderable share in the management of these affairs. The situation was all the more complicated by the variable attitude of the

⁸⁶Osgood, *18th Century*, III, 4-5. For the restoration of proprietary government and the change in the religion of the proprietary, see Osgood, *ibid.*, II, 213-214, and III, 3-6.

latter two toward the establishment. At one moment they were most friendly, at another they seemed to wish to do everything in their power not only to check its progress but even to imperil its very existence.⁸⁷

In 1716, Wilkinson and Henderson had been appointed commissaries, as we have seen. Of the popular attitude toward their authority, Hawks says:

In fact, most of the influential and wealthy inhabitants appear, from the correspondence of the day, which we have before us, to have been though nominally Churchmen, yet in reality opposers of the truth. The common people, however, were of a different character. They rejoiced in the appointment of the commissaries, while, with the single exception of the governor, all those in the higher ranks of life were much displeased; and, as they supposed that the discipline of the Church might, in the hands of the commissary, reach even unto them, they combined, without coming to open resistance of the bishop's delegated authority, effectually to thwart its exercise by every species of annoyance.⁸⁸

The Problem of Ecclesiastical Discipline

The power and duty of churchwardens to present, on the occasion of any visitation of the clergy held by a commissary and in answer to his questions, any parishioner guilty of any offense or omission of duty, is the circumstance which Hawks seems to consider chiefly responsible for the attitude of "the higher ranks of life." Although the commissaries had not been granted jurisdiction over the laity by the bishop of London, and although if they had been, the colonial administration would presumably have refused to enforce any sentence imposed, yet the offender would have been held up to public obloquy by the mere presentment. And at Henderson's visitation of 1717, the wardens, who were summoned with their clergy, were in fact tendered an oath obliging them to present.⁸⁹

However licentious some parishioners may have been, their opposition to delation by snooping wardens claims our sympathy. The extent of the power which ecclesiastical courts once exercised over the laity as well as the clergy is today almost forgotten. That part of it which

⁸⁷*Cross, op. cit.*, pp. 71-72.

⁸⁸*Contributions*, II, 151.

⁸⁹*Ibid.*, II, 155-156.

concerns us here is the power to correct morals.⁹⁰ Defamation, drunkenness or disorderly life, incontinence of every kind and perjury, by either clergy or laity, were the exclusive concern of the ecclesiastical courts up to 1641, except that unnatural offences had been withdrawn from their cognizance in 1533 and bigamy in 1603. Offences were brought to the attention of these courts by any informer, by their own officials, and by clergy and churchwardens. The accused could be required to take what was known as the *ex officio* oath, by which he swore to make true answer to all questions put to him. These could be put in the form of interrogatories, and the evidence of witnesses was given upon affidavit.

The decree of the court was enforceable by excommunication: greater or lesser. The lesser deprived the accused of all the offices of the Church; the greater cut him off also from the society of all Christians; and each kind carried with it a variety of civil incapacities, such as inability to sue or take a legacy. In addition, penance could be imposed, and if the accused refused to submit to it, he could be imprisoned until he gave in, on a writ issued by the royal chancery court at the instance of the ecclesiastical judge. On all this, Sir James Stephen comments as follows:

It "is difficult even to imagine a state of society in which on the bare suggestion of some miserable domestic spy any man or woman whatever might be convened before an archdeacon or his surrogate and put upon his or her oath as to all the most private affairs of life, as to relations between husband and wife, as to relations between either and any woman or man with whom the name of either might be associated by scandal, as to contracts to marry, as to idle words, as to personal habits, and in fact as to anything whatever which happened to strike the ecclesiastical lawyer as immoral or irreligious."⁹¹

In 1641, Parliament abolished this criminal jurisdiction of the ecclesiastical courts, and although the act by which it did so was repealed in 1661, the section of it abolishing the *ex officio* oath was at the same time re-enacted, with the result of putting an end, practically, to the powers of these courts over the laity, though leaving them still effective as to the clergy.⁹²

⁹⁰The reader is referred chiefly to Stephen, *Hist. Cr. Law*, II, 220, 401-413, 422, 428-430, 436; and, as to the *ex officio* oath, to *ibid.*, I, 338, 342. He may also consult Holdsworth, *Hist. Eng. Law*, I, 619-621; Stubbs, *Const. Hist.*, III, 357-358, 386; Maitland, *Const. Hist.*, 522-524. As to the origin of the jurisdiction over morals in the bishop's duty of pastoral care, see Holdsworth, *op. cit.*, I, 616.

⁹¹*Hist. Cr. Law*, II, 413.

⁹²Stephen, *op. cit.*, II, 436-437; Holdsworth, *op. cit.*, I, 620-621. Procedure against the clergy is today, however, chiefly regulated by 19th century statutes.

By the presence of commissaries tendering oaths to wardens to inform against evil-doing parishioners, the laity of Maryland in 1718 might reasonably consider themselves in danger of an attempted exercise of a prying, detested jurisdiction destroyed in England in 1641, and not effectually revived at the Restoration.

Soon after the appointment of Wilkinson and Henderson in 1716, two events contributed toward further opposition to their authority. The first of these was a foolish act of Henderson's, a man of ability and courage but sometimes over-zealous. On the occasion of a visitation in 1717 of his clergy of the Western Shore, letters of order and license were as usual called for by the commissary and produced by the several clergymen. One of these letters the commissary put into his bag for persual at leisure. The clergyman demanded its immediate surrender, which Henderson wrongly refused. The clergyman repaired to the governor, and obtained of him a warrant for immediate delivery of the papers. This circumstance created a coolness between Henderson and the governor, and was an instance which could be cited against the dangers of commissarial authority.⁹³

The second event requires longer telling. In 1718, Governor Hart assembled the clergy at Annapolis while the legislature was in session there. Whether he was certain of unfavorable action by the legislature and desired to enhance his own power thereby, as Hawks thinks,⁹⁴ or had a genuine desire to achieve a better means of clerical discipline, he obtained of the clergy a "Representation" to the legislature, which will now be given in near entirety because of the light it throws upon the attempt to achieve an effectual discipline of the clergy by means of a system of which inquisitorial powers over the laity formed a part.

The representation in question came from twenty of the clergy. It laid before the governor and legislature "Obstructions seen to impede the ecclesiastical jurisdiction of the Bishop of London & solutions to same."⁹⁵

"Obstruction first. That the People are generally made to believe that the Bishop of London has no Authority to Erect any Court within this Province.

⁹³The story is told in Hawks, II, 156-159.

⁹⁴*Ibid.*, II, 160-166.

⁹⁵Md. Archives, XXXIII, 154-155. No signatures are appended, but there are twenty signatures to the reply of the clergy to the governor's first address mentioned below. For the governor's address to the Assembly preparing the way for submission of the Representation, and its acknowledgement, see *ibid.*, 145-146, 223, 227. For the governor's (first) address to the clergy, see *ibid.*, 146-147; the clergy's non-committal reply: 147-149. A further address to the clergy, educating the desired Representation, is mentioned by Hawks but seems not to be recorded in the archives.

"Solution. That the Bishop of London's Jurisdiction in this Province as contained within his Diocese be asserted and Recognized, Except in such things as are Excepted in his Lordship's Commission to his Commissarys and his Instruction from the late Queen, Instruct. 80th.

"Obstruction the second. That by reason of the many Creeks & Rivers wherewith this Province doth abound the Church Wardens do find it chargeable to attend the Commissaries at their Visitations.

"Solution. That the Reasonable and necessary Expences of the Church Wardens may be in at their Attendance at the Commissaries' Visitations be Reckoned a part of the Parochiall Charges according to the Act of Religion."

Obstruction third is as to the need for a recorder of the proceedings at visitations; the solution is for the governor and assembly "to consider of some Expedient to Support such a writer."

Obstruction fourth is "that to Serve Citations the Commissaries will find it Difficult"; the solution is to have the sheriffs serve these.

The representation concludes with an "N.B.," that the commissaries and clergy will pay their own expenses at visitations, save that they ask free ferrying.

With this representation before it, the Council asked the Burgesses to join in the appointment of a conference committee to consider it, and the Burgesses acceded.⁹⁶ The conference committee reported as follows:

The members of the Committee of Conference "think themselves obliged by their Duty to God to Yield all due Obedience to the Discipline of our Mother Church of England as by Law established but as this Infant Province has not hitherto had the Ecclesiasticall Jurisdiction exercised in it And therefore are in a great part Strangers to it's Powers and Authorities of punishing Crimes and Offences whereby we are rendered incapable of Judging how farr it may have power to punish those crimes that at the same time may be punishable in the Severall Courts of Law in this Province, wch if so would be very grievous to the people. The Consideration of which they humbly Conceive would be a Work that may require length of Time Wherefore they humbly offer the further Consideracon thereof of his Excy & the two Houses of Assembly."⁹⁷

The Burgesses then sent the following message to the Council:

⁹⁶Md. Archives, XXXIII, 159, 235; 161, 237-238.

⁹⁷*Ibid.*, 242-243.

"We have Read the Report of the Conferrees Appointed to Consult on the Clergy's Representation And agree with them in Opinion that the putting the Ecclesiasticall Laws in force here wou'd be altogether Impracticable and therefore referr the Consideration thereof to Your Honours."⁹⁸

This communication seems to have ended legislative consideration of the representation. There was to be no provincial recognition of ecclesiastical jurisdiction.

A communication of 1724 by the Burgesses to the Council renews the old complaint of clerical misconduct and adds a new one: that of a clerical pretension to be exempt from the criminal jurisdiction of secular courts.

In October 1724, the Council received the "Representation of Christopher Wilkinson, Jacob Henderson, Peter Fustian, James Cox and Samuel Skippon relating to a jurisdiction to be erected for the better Government of the Church and Clergy complaining thereof and offering their Assistance therein," which was read and referred to the Burgesses for consideration.⁹⁹ Five days later, the Burgesses sent a message to the Council.¹⁰⁰ After mentioning the misconduct of some of the clergy, the message continued:

"The irregularities complained of are presumed to be owing in a Great measure to the want of some Judicature to correct the Offendors who as appears by the Representation now before us claim an Exemption from any Jurisdiction in the Hands of Laymen And that we see no Probability of any Jurisdiction being established which some to avoid Just Punishment will not have the same Objection to We think it our indispensable duty until the establishment of an Unexceptionable Judicature to make use of all the means in our Power to put some check to practices so destructive of our Religion and We do not make the least doubt of Your Honours' Assistance and Concurrence in so necessary a Work, nor but that such of our Clergy as conscientiously discharge their Duty which we hope are the Greater number will Contribute their Endeavours to Curb the misbehaviour of men of their own Order whose Actions tend to Overthrow what by the most Sacred Obligations they ought to support."

The Council, in reply,¹⁰¹ was sorry to hear that some of the clergy, it hoped but few, had misbehaved, and desired to join the Burgesses

⁹⁸Md. Archives, XXXIII, 164, 243-244.

⁹⁹Md. Archives, XXXV, 31. See also, Perry, IV, 247, 249-250.

¹⁰⁰Md. Archives, XXXV, 39-40.

¹⁰¹*Ibid.*, 163.

in proper measures; but the Burgesses seemed to have rejected the representation by several of the clergy sent to them by the Council for that purpose, and would now recommend to the Council the erecting of a lay judicature for ecclesiastical discipline, contrary to the Constitution "in England." If the misbehaviour complained of concerns morals, there are laws which govern it in the case of clergy as well as of lay persons; if it relates to the discharge of the ministerial function, the Council knew no remedy more proper than a joint representation by both houses to the bishop of London, "who doubtless with the Concurrence of our Legislature will take care to Establish an Ecclesiastical Judicature to reform the Irregularities of our Clergy."

The Burgesses, in rejoinder,¹⁰² denied having recommended the erection of a lay jurisdiction: it was the clergy in their representation who said they had heard that a motion had been made to erect a jurisdiction for the better government of Church and clergy. But the Burgesses had desired to do something which might influence some of the clergy "to govern themselves more like moralists and Christians." The Burgesses had found by complaints from most parts of the province that the misconduct of the clergy, and their pretending to a general exemption from all punishment by the temporal laws, called for our endeavours to enforce those laws against them. If the representation means that it would be contrary to the ordination vows for clergy to submit to a temporal punishment, the conduct of the clergy is more contrary to that vow than such submission could be.

The Burgesses state that they have likewise been told that the legislature had no right to touch the 40 pounds per poll act, but hope that the Council will join them in letting the clergy know that the right to repeal is equal to the right to enact, and that the legislature "might find as good Intrest to obtain as they to oppose the Royall favour in the Repeale of it." If the Council would give the clergy "a necessary Caution," this "might have so desirable an Effect as that their future Conduct might Induce the Legislature to forget all thoughts of this kind." The Burgesses conclude by stating that they still adhere to their former message and hope that at a further opportunity the Council would join them in so necessary a work.

If the Burgesses were not mistaken as to the fact of a clerical assertion of a right to be exempt from all punishment under the "temporal" laws of the province, how far were the clergy correct in their assertion?

¹⁰²Md., Archives, XXXV, 65, 164.

In England, by a statute of 1575/6,¹⁰³ the special amenability of the clergy to their own courts for criminal acts was abolished; no longer could a criminous cleric escape trial by the secular court, although upon conviction there he became subject to discipline in the bishop's court by way of suspension or deprivation.¹⁰⁴ But in the semi-criminal categories of defamation, drunkenness or disorderly life, incontinence, and perjury, the cleric, though after 1641 not the layman, remained subject, until the 19th century, to punitive as well as disciplinary action by the clerical court.¹⁰⁵ In Maryland in 1718, however, there were no ecclesiastical courts with jurisdiction in such cases recognized by the secular authority. Moreover, prior to 1718, there were in force Maryland statutes against cursing, swearing, and drunkenness, blasphemy, fornication, and profanation of Sunday by gaming, fishing, hunting, &c.¹⁰⁶ These statutes thus covered two of the four English categories. Accordingly, a Maryland court in which a clerical plea of immunity was made might find a decision difficult. But whatever the strict legal merits of the plea, it was certainly out of harmony with the spirit of the new land.

In 1725, the House of Burgesses expressed the opinion¹⁰⁷ that

"it is necessary a bill be brought in Enjoyning the Severall Vestrymen and Church Wardens as a part of their office . . . to represent the Misconduct of their Clergy to the Governour & Councill But the preparing the Bill and the Matter thereof is referr'd till next Sessions."

Action was, as intended, postponed to the next session; was there further postponed to the next one,¹⁰⁸ which took no action, and there were no attempts at legislation for the better discipline of the clergy until 1768.¹⁰⁹

¹⁰³18 Eliz. c. 7, cited by Makower, p. 449. For an account of the rise and fall of clerical immunity from trial and punishment in the secular courts for crime, see Makower, 401-413, 446-450; Holdsworth, *Hist. Eng. Law*, I, 615-616.

¹⁰⁴Makower, p. 455: Ely (Bishop) v. Close (1913), pp. 184, 194.

¹⁰⁵Stephen, *op. cit.*, II, 436-437; Holdsworth, *op. cit.*, I, 620-621.

¹⁰⁶Ch. 27 of 1715, Bacon's *Laws* (fornication); Ch. 16 of 1723, *ibid.*, on the other categories.

¹⁰⁷Md. Archives, XXXV, 481-482.

¹⁰⁸*Ibid.*, 557.

¹⁰⁹Assertions that there was legislation, or attempts at legislation, prior to 1768 appear in various histories: Anderson, III, 180, 189; Hawks, *Contributions*, II, 128-129; Cross, 40-41, citing Hawks; Tiffany, 70-71; Manross, 77-78; Mereness, 442; and perhaps others. The dates assigned vary, and in some instances are not given definitely. But the records do not support these assertions.

Reduction in Clergy Income

In June 1726, Commissary Wilkinson wrote the bishop of London that the Assembly was resolved to lessen clerical revenues and to divide ("by dividing" appears to be the meaning) several if not all parishes. These he admits are too large, but says that unless the value of tobacco can be increased, division will force the clergy to find some other way to supply their families.¹¹⁰ Reductions in the size of parishes do not appear, however, to be connected with a desire to lessen the incomes of the clergy, notwithstanding Wilkinson's implication.

Examination of Bacon's laws shows that from 1704 to 1748 ten new parishes were erected: one in 1704, one in each of the years 1725, 1726, 1728; two in 1742, three in 1744, one in 1748.¹¹¹ There is not such concentration of effort in these dates as to indicate a general plan. Moreover, the need for division had been asserted as long ago as 1697 by the Council, though the Burgesses had not agreed.¹¹² Furthermore, examination of the *Journals* of the two houses for the period, 1725-1732, indicates that in that period, at least, the proposal for division came always from parishioners and not from the legislature; that the incumbent or incumbents affected were regularly notified and given a fair opportunity to object; and that, save in one instance, affecting Wilkinson, there was no objection from an incumbent, and that in Wilkinson's case action was postponed, though ultimately taken.¹¹³ Indeed, the Council insisted upon postponement, because it was not satisfied that the proposal before it would afford the relief desired, and because it would divest "the present antient Incumbent" of too great a part of his benefice.¹¹⁴

On another occasion, the Burgesses reported that a rector needed more income, and proposed to provide it by allocating to him the tobacco revenues from certain small areas outside his parish, but the Council refused to concur.¹¹⁵

¹¹⁰See Perry, IV, 254-255.

¹¹¹Acts of 1704, c.96; of 1725, c.10; 1726, c.6; 1728, c.19; 1742, c.15 & c.18; 1744, c.3, c.14, c.24; 1748, c.9, c.13. There were also some cases of enlargement of one parish at the expense of another, omitted here as not bearing on intent to lower salaries generally.

¹¹²Md. Archives, XIX, 512, 517, 519, 566.

¹¹³Md. Archives, XXXV, 493, 500, 533, 540-541, 548-549; XXXVI, 285, 286, 290-291, 580-581, 598-599; XXXVII, 374. The action in the case of Wilkinson's parish is recorded in XXXV, 500, 540-541, and XXXVI, 290-291. And see Wilkinson to the Bishop of London, in Perry, IV, 258-260.

¹¹⁴Md. Archives, 22, 40; see also, *ibid.*, 25, 27, 33 (1727).

¹¹⁵*Ibid.*, XXXVI, 211-212, 218.

In 1728, the legislature enacted a reduction in official and parochial fees and dues, by which those who owed these might discharge their obligation by payment of three-fourths of the quantity of tobacco specified in prior legislation, or by payment of the whole amount due in money at ten shillings per hundredweight. Osgood explains that the effect of the second alternative was to give the people "the option of paying in the medium which was cheapest at the time," and adds:

"As bills were at the same time passed for dividing several parishes, the motive of the enemies of the church in the assembly was evident and it was taken to be a violation of the act establishing the church."¹¹⁶

It is true, as will appear below, that the clergy did oppose the act as inconsistent with the Church Act, but it is not certain that the act was aimed at the clergy or the Church. It may better be explained as a demand that fees and dues payable to officials (in which general class the clergy belonged) be reduced concurrently with legislation for raising the price of tobacco in the market by improving its quality, through a more effective system of inspection and grading. The provision for reduction of fees and dues was part of "An Act for Improving the Staple of Tobacco."¹¹⁷ Mereness explains why the two purposes had to be joined:

The great obstacle to the needed legislation lay in the fact that the lower house was scarcely less eager to reduce the fees of officers and the dues of the clergy than it was to save the tobacco industry. It held that any law which was designed to raise the price of tobacco should, in fairness to all, diminish the quantity to be paid to the officers and the clergy.¹¹⁸

Thus, when six of the clergy protested against the act to the Council, they were told that clerical incomes had advanced greatly since enactment of the Church Act, and that in the Act of 1728 the limitation upon the quantity of tobacco to be planted, and the bettering of quality, would make their new three-quarters of greater value than their former whole.¹¹⁹ Mereness follows the quotation given above by a statement that, in the case of the clergy, the loose morals of some of them motivated the de-

¹¹⁶Osgood, *18th Century*, III, 100.

¹¹⁷Md. Archives, XXXVI, 266. For provision as to fees and dues, see p. 274.

¹¹⁸Mereness, *op. cit.*, p. 112.

¹¹⁹Md. Archives, XXXVI, 162-163 (Council, Nov. 2, 1728).

mand for a reduction in their salaries. That the loose morals of some of the clergy provoked irritation is undeniable, but that this irritation was an efficient cause of the legislation reducing their salaries must be regarded as unproven.

The clergy followed their protest to the Council by protests to the bishop of London, the S. P. G. (which had no relation to the Maryland clergy), and to the king,¹²⁰ and commissioned Commissary Henderson to oppose the act in London, which he did, returning in 1730.¹²¹ The proprietary refused his assent, and the act fell.

It was followed, as soon as the news of the proprietary's action arrived, by the passage in 1730 of another tobacco act, in which a differentiation was made between the clergy on the one hand, and lawyers and officials proper on the other. Lawyers' fees and official dues were made dischargeable at three-fourths of the former amounts, as in the Act of 1728; clerical salaries remained at 40 lbs. tobacco per poll, but these salaries as to one-fourth of their amount, and lawyers' fees in full, might be paid in wheat at 42 pounds of tobacco per bushel, or in Indian corn, or barley, or oats, at 20 pounds of tobacco per bushel.¹²² Although the clergy had protested to the bishop of London against it, the proprietary allowed this act to become law.¹²³

In March 1731/32, Henderson, who in 1730 had been made sole commissary,¹²⁴ wrote the bishop of London¹²⁵ that he was "quite tired out with the opposition" he met with, "and nothing to support" him, and asked that his lordship's authority to commission him be evidenced under the broad seal, or that he be excused from further service. Although the commission had been sent, both the late governor (Charles Calvert) and the present one (Benedict Leonard Calvert) had denied receipt, and as no ships had been lost for two years, he suspected that it had been suppressed. He stayed on in office, however, until 1734 or 1735, after which there were no further commissaries in Maryland.¹²⁶

¹²⁰Letters in Perry, IV, 262-268.

¹²¹Hawks, II, 198-204.

¹²²Md. Archives, XXXVII, 138 at 147 (1730).

¹²³*Clergy protest*: Hawks, II, 201-210; Perry, IV, 284ff. (no addressee, no signatures, no source, given).

Proprietary's assent: Hawks, II, 214; Perry, IV, 308-309 (Henderson to Bishop of London, August 7, 1731).

¹²⁴So Cross, p. 76; but in 1730, one John Lang appears to have been serving: Perry, IV, 288-299.

¹²⁵Perry, IV, 302.

¹²⁶Osgood, *18th Century*, III, 92, 103, 465.

The Attempt to Give Maryland a Suffragan Bishop

Meanwhile, in 1727, Bishop Gibson of London, whether or not as the result of royal assurances appears to be unknown,¹²⁷ had invited the Maryland clergy to choose one of their number to be sent to England for consecration as suffragan bishop for Maryland. The clergy chose Joseph Colbatch (or Colebatch), who had been licensed for Maryland, February 25, 1697/98.¹²⁸ But a writ of *ne exeat* was sought and obtained in the Maryland courts, which prevented his departure from the colony.

The issuance of the writ appears to be attested only by a letter from Commissary Wilkinson, December 10, 1728, to the bishop of London,¹²⁹ but there is no reason to doubt the fact, although a court record in support has thus far not been found. It is not in the volume of Provincial Court judgments for the period, 1727-1731, and, unfortunately, the proceedings of the Anne Arundel County Court, among which it might appear, because Colbatch lived in that county, are missing for the period, 1724-1733.¹³⁰

Yet in 1694 the provincial legislature had been quite ready to welcome a suffragan bishop, providing for his support by the fees of the jurisdiction in testamentary causes, which it was proposed to attach to his office.¹³¹

¹²⁷Hawks, II, 196, says that "after much research" he had been unable to discover whether or not there were such assurances, but inclines to the belief that there were none.

¹²⁸According to John Clement, *HISTORICAL MAGAZINE*, XVI(1947), 322, 330, where the record of his licensing for Maryland is given, the name is spelled "Colbatch"; Hawks and others spell it "Colebatch."

"Mr. Colbatch was a clergyman of a very high character." He had been ordained by Bishop Compton, July 4, 1694. He was rector of All Hallow's Parish, Arundel County, for nearly 36 years—from 1698 until his death, January 1734.

¹²⁹Printed in Perry, IV, 269.

¹³⁰So the hall of Records at Annapolis states in a letter of June 7, 1950, to the writer.

Anne Arundel County was also the seat of the provincial government at Annapolis.

The only newspaper published in the period, 1727-1734, was the *Gazette*. In 1925, the John Carter Brown Library published a volume (which has no title or publication date) reproducing by photostat all known copies of this newspaper. A search of the issues so reproduced (there are but five extant for 1728) made in the Library of the Maryland Historical Society in Baltimore reveals no reference to the *ne exeat* proceedings. A search on the indexes in the same library under "Colbatch," "Courts" "County Court," "Ne Exeat" revealed nothing. Nor is there anything in Archives XXV, containing the proceedings of the Council for the period 1698-1731. Hitherto unexplored records of the S. P. G. or of Lambeth Palace Library may some day yield more information.

¹³¹Md. Archives, XIX, 91-93.

While the attempt of 1727-28 to provide Maryland and the colonial Church with a suffragan bishop does credit to Bishop Gibson's statesmanship and to his genuine interest in the welfare of the Church overseas, the timing (through no fault of his) was bad. What could have been done in 1694, could not be done a generation later.¹³² The American laity by 1727 were determined not to risk the introduction of ecclesiastical courts, which might seek to discipline the laity as well as the clergy. They were not going to give over to, or even share with, bishops the prerequisites which the laity in America had in their own hands, but which in England the bishops enjoyed—the granting of marriage licenses, probate of wills, etc. They were not going to share with bishops that control over the Church which, in every colony where the Church was established, the laity exercised without much let or hindrance.

That the Church suffered grievously for lack of bishops is beyond question. Candidates for holy orders had to travel 3,000 miles to London to be ordained, and one out of every five died in the attempt; confirmation was never administered in colonial America, to the detriment of the sacramental life; discipline which could remove unworthy clergymen was wanting in any proper measure; and, not least, that leadership so essential for the Church's growth and expansion, and which in any Anglican Church the episcopate must give, was lacking.

What had to be evolved was the thought of, and desire for, a restoration of primitive episcopacy—an episcopate freed of all civil functions and powers, a purely spiritual and ecclesiastical episcopate, which Christendom had not seen for fourteen hundred years, not since the days of Constantine. For such an episcopate the Church in the American colonies had to wait for another half-century and more.

Clergy Stipends, 1748-1776

The Tobacco Act of 1730 expired by its own limitation, March 31, 1732, and had no successor until 1747, when the first somewhat effectual act, modeled to some extent upon one which had proven successful in Virginia, was adopted, to be in effect December 1, 1748, for a period of five years.¹³³ In its text was the following declaration and provision:

¹³²See Bray's "Memorial of 1700" in Perry, IV, 51, showing also Bray's plan for providing additional support through provision of a well-stocked glebe, the money for the purchase and stocking of which was to be raised by subscription. This supplemental plan also fell through.

¹³³Md. Archives, XLIV, 595, especially 604. The act is discussed by Mereness, pp. 113-118.

And in Regard that it is the general Expectation, that by Means of this Act, Tobacco will be meliorated, the Quantity undoubtedly lessened, and the Mode of Payment much facilitated, and thereby the Stipends of the Clergy will be made more valuable than at present; and that it is deemed but highly reasonable, that in Regard this Province will be at an Expence in carrying this Act into Execution, in which the Clergy ought to bear a Part; be it Enacted, That during the Continuance of this Act, The County Courts levy on the taxable Inhabitants of the respective Parishes, or Part of Parishes, within their Counties, no more than thirty Pounds of Tobacco per Poll, instead of Forty Pounds of Tobacco per Poll by a former Act provided.

The fees of officers and attorneys were also reduced, but by only ten per cent.

These provisions, though not the declaration, were repeated by an Act of 1735,¹³⁴ to be in force until December 1, 1758. In 1758, they were again continued for five years,¹³⁵ and were repeated in 1763, for three years;¹³⁶ again in 1766, until December 25, 1769.¹³⁷ As this date approached, a dispute between the two houses of the legislature over officers' fees and clerical salaries arose and continued until the end of 1773. In the interim, there was only stop-gap legislation bringing the continuation of the Act of 1763 to October 22, 1770.¹³⁸

While the dispute was still in progress, the proprietary issued on November 24, 1770, a declaration fixing fees for the land office,¹³⁹ and on the 26th the governor issued a proclamation that

"no Officer or Officers, the Judges of the Land Office excepted, who are subject to other Regulation . . . shall receive, demand or take . . . any other or greater Fees"

than were allowed by the Act of 1763. This proclamation, it will be observed, did not mention the clergy specifically, and that they were excluded seems further probable from the fact that when, in 1770, the lower house had conceded the clergy 32 pounds per poll instead of the 30 granted by the Act of 1763,¹⁴⁰ Governor Eden told the Council that, understanding that a conference between the two houses was scheduled,

¹³⁴Md. Archives, L, 303 at 313.

¹³⁵*Ibid.*, LVI, 128 (no text; a mere continuation).

¹³⁶*Ibid.*, LVIII, 433, at 444.

¹³⁷*Ibid.*, LXI, at 222 (no text; a mere continuation).

¹³⁸*Ibid.*, LXII, 123 (1769), continuing Act of 1763 to Oct. 1, 1770; *ibid.*, continuing it to Oct. 22, 1770.

¹³⁹*Ibid.*, LXIII, 111.

¹⁴⁰*Ibid.*, LXII, 395.

he felt obliged to say that if the provision as to clerical salaries proposed at the preceding session were adopted,

"many ministers who now have a Scanty Provision would be reduced to a State of much Indigence and Distress,"

and he did not know whether it would be in his power to assent to it.¹⁴¹

Judging from this protest, he would not have remitted the clergy in his proclamation to the 30 pounds per poll fixed by the Act of 1763.

In the November-December session of 1773, the two houses agreed upon a Tobacco Act¹⁴² which, by section 18, fixed the salaries of inspectors, but said nothing as to clerical salaries; and another act,¹⁴³ which fixed the salaries of the clergy at 30 pounds of tobacco per poll, or, at the option of the payor, at 32 pounds of tobacco per poll, payable in gold or silver, at rates per pound of tobacco fixed in the Tobacco Act.¹⁴⁴ Chapter 28 was limited to three years, but was extended to twelve by Chapter 31 of the same session. But Chapter 31 seems to have been in effect repealed by an act of the Revolutionary legislature of 1780.¹⁴⁵

Clerical Discipline

We must now return to the matter of clerical discipline. We have seen that in 1725 the Burgesses had talked of requiring vestries and wardens to present to the Governor and Council instances of clerical misconduct. The necessary implication of such a requirement would be action by Governor and Council on the case presented.

In 1768, both houses agreed upon a bill for disciplining the clergy by means of a court of three clergymen and three laymen to be selected by the governor,¹⁴⁶ who, however, refused his assent to the bill for reasons which he stated in a contemporary letter:

... a bill for the better Regulation of the Clergy was not only framed in the Lower House but was also assented to by the Upper on Condition that it should not have any Effect till next March before which time they apprehended His Ldp might

¹⁴¹Md. Archives, LXIII, 19-20, and editors' Introduction at p. xxviii.

¹⁴²Ch. I of this session, Liber R. G., 1769-1774, folios 196-233.

¹⁴³Ch. 28 of the same session, Liber *Ibid.*, folios 296-297.

¹⁴⁴At folio 224 of Liber R. G.

¹⁴⁵Ch. 14, Sec. 84, of the Acts of June, 1780.

¹⁴⁶The text of the act does not appear in the archives, although there are references to its course through the legislature: LXI, 305, 315, 319, 400, 406, 420. The provisions are briefly described in *ibid.*, Introduction, lxxi. For clerical protests, see Archives, XIV, 506-507; and Perry, *Hist. Coll.*, IV, 337-338, 340-341.

be able to consider it or take Advice thereon & if he disapproved thereof to declare it null & void, nevertheless as it was a Bill of quite a new nature & I knew not what may be His Ldp's Sentiments with regard to regulating the Clergy by any Law whatever or establishing any Visitatorial Authority over them in the Province I took the liberty to lay the Bill aside when it was presented to me in the usual manner for my Fiat, which has been sometimes done by former Governors with respect to any Bill about the propriety of which they were in doubt, but as it will certainly be revived at the next Session I hope it will be thoroughly considered before that time & that His Ldp's pleasure will be fully made known to me on the subject. The truth is that there are among the Clergy of this Province some very immoral men. . . .¹⁴⁷

The governor went on to say that the framers of the bill seem to have been of the opinion that as the governor was given the sole power of nominating the members of the new court, due regard was paid to him, and that as three of the court were to be taken from the clergy, "they" might more readily agree to the regulation. But he was far from being convinced that such would be the case.

The bill seems to have been immediately inspired by the particularly scandalous conduct of one incumbent who, accused of murdering one of his slaves, fled to Virginia until his son, the only positive witness against him, could be shipped away to Scotland, and then returned to his parish, where no one would attend the services he conducted.¹⁴⁸ Governor Sharpe's letter mentions this man and two others; the editors of the Archives mention two more, one of them recently deceased; and a third, whose only offence was having incurred hopeless debt, and being imprisoned for it, and relieved from prison by a special act of legislature, as was often done in such cases.¹⁴⁹

Three years later, in 1771, the proprietary let his willingness to approve such an act be known, and at the session of October-November, 1771, one similar to that of 1768 was enacted and approved.¹⁵⁰ First, it forbade clergy, under penalty of a fine of ten pounds, from absenting themselves more than one month at a time, or more than two months in all in any one year, and from living outside the parish limits. Next,

¹⁴⁷To Hamersley, June 22, 1768, Md. Archives, XIV, 506-508.

¹⁴⁸See the letter cited in the foregoing note, #147, and also the Report of the Burgesses' Committee on Aggrievances and Courts of Justice, June 22, 1768, Archives, LXI, 410-411, and the Introduction to the same volume, pp. xlvii-xlviii.

¹⁴⁹Archives, LXI, lxx-lxx, for the two cases, and *ibid.*, lxx-lxxi, for the third.

¹⁵⁰Text in Md. Archives, LXIII, 290ff; Act No. 31, Liber R. G., 1771: "An Additional Supplementary Act to the Act entitled An Act for the Establishment of Religious Worship. . . ."

it decreed that on complaint to the Governor and Council by a majority of a vestry and wardens, of wilful neglect to officiate, or of notorious or scandalous immorality, the governor with the advice of the council might appoint three ministers and three laymen to act with him to hear the complaint, with power to admonish, suspend, or totally deprive; and in case of deprivation to present, induct or appoint another to the living. The act was to continue for seven years.

Clerical Complaints Against the Laity

Such was the result of lay discontent with evil clerics. But was there in Maryland any clerical discontent with evil laics? We may leave to one side the very natural clerical dislike of reduction of stipend, and of a secular disciplinary court, and address ourselves to the conduct of vestries and parishioners toward their parsons. Here, unless and until diaries and other original material descriptive of parochial life come to light, the evidence is scanty. But there is some.

The Church Act of 1696 commands vestries not to withhold parsons' salaries under pretext of finishing or repairing a church.

A communication to the bishop of London in 1696, by eight of the Maryland clergy,¹⁵¹ mentions the difficulties of the three Anglican clergy in the province when Governor Nicholson arrived in 1694. They had finally managed to support themselves and their families "out of the plantations they had with their cures. And tho' the better and most responsible persons of the neighboring Plantations," who owned themselves Anglicans, had subscribed for their officiating, the clergy could not collect the half and sometimes not the fourth of the subscriptions.

The reply of 21 clergy to Governor Hart's inquiries of 1714¹⁵² states that in most parishes there are enough churches, but that some of these are not "kept decent" by the parishioners.

In 1721, the replies of Commissary Henderson's clergy to his inquiries¹⁵³ complain that the revenue in parishes where there is a vacancy is "miserably mismanaged, for ye most part Imbezled away"; no accounts are rendered to the Governor and Council, as required by law.¹⁵⁴

¹⁵¹Perry, *Historical Collections*, IV, 8-13.

¹⁵²*Ibid.*, IV, 75-77.

¹⁵³*Ibid.*, IV, 131-158.

¹⁵⁴The reference here is to the 5th paragraph of Ch. 24 of 1704, Md. Archives, XXVI, 292-294, at 293: "An Act Impowering the Commissioners of the County Courts," etc. Where there is no minister, the vestry are to keep and transmit to Governor and Council an account of the 40 pounds tax.

"Many disorders happen, differences between the Clergy and their parishes. Infringements on each other's Rights and duties that raise such misunderstandings as are seldom totally removed. When parishes become vacant, they commonly continue so for a long time, except when they are filled at the expence of another . . . an entire want of discipline, except wt is presented to by laymen. The vestry's very assuming in this particular, wch makes our struggles many and great and our lives altogether uncomfortable. . . ."

Certain acts are complained of as giving vestries an opportunity to embezzle: one of 1713, empowering the county justices to regulate parish bounds, and to ascertain the time and manner when and how the 40 pounds per poll should become due and payable to the minister;¹⁵⁵ and one of 1715, declaring how the 40 pounds per poll should be disposed of when the parish is vacant.¹⁵⁶ The uses declared by the act for such cases are held commendable if *inter alia* vestries would honestly pursue the directions of the act.

These scanty indications point to difficulties still experienced today: the lack of a sufficiently definite line of demarcation between the rights of vestry and of parson; the tendency of vestries to try to dominate the parson; inadequate central supervision of parochial finances and accounting; and an inclination to delay in filling vacancies so as to save the parson's salary. One may note also a deficient sense of responsibility for the maintenance of the fabric of the church and for the support of the parson.

An Appraisal of the Church in Colonial Maryland

As we survey the fortunes of the Church in Maryland during the colonial period, we see that an auspicious beginning did not produce a satisfactory development. The earliest historians of the Church in the colonies agree upon this. Anderson says:

"Encumbered by evils the same in kind with those which cast reproach upon the Virginia Church, the Church in Maryland was dragged down with her in the same temporal ruin."¹⁵⁷

¹⁵⁵Md. Archives, XXIX, 339-340, Section IV at 340.

¹⁵⁶Ch. XXIV, Acts of 1715, Bacon's Laws. This is a re-enactment of Ch. XXIV of 1704, *supra*. Re-enacted laws seem not to be reprinted in the Archives.

¹⁵⁷Anderson, III, 219.

Hawks philosophizes thus:

"It should never be forgotten that whenever a government establishes any system of religion, it enters into a solemn contract that such religion shall, in return for its support, faithfully promote the spiritual welfare of its supporters, and that nothing necessary for that purpose shall be withheld from it. And whenever a government loses sight of this truth, though the injustice may be endured for a time, yet . . . the people will at last manifest their sense of injustice by putting down the establishment."¹⁵⁸

The Church at home, itself hamstrung by the state, failed to send a bishop. When it decided upon a commissary as a substitute, it failed to attach to his office the jurisdiction over wills and marriages, and the power to appoint and remove clergy, which would have provided it with an adequate revenue and made it effectual and respected in exercising discipline. The inauguration of royal government gave it an opportunity to make these arrangements, but it did not make them. When proprietary government was restored in 1715, after only 25 years of royal rule, the English Church failed to obtain either a surrender of the proprietary's right to appoint to cures or an agreed delimitation of his powers in relation to those of the bishop of London. Continual confusion and irritation between bishop and proprietary resulted. The lack of machinery for removing unfit clergy was bound to create resentment, even if the number of offenders was small.

Although all this is true, it is difficult to fix blame. The Church in Maryland, like the Church in others colonies, was tossed about by the storms and cross-currents of history. In the seventeenth century, the homeland had seen a great civil war, resulting in the rule of enemies of the Church, and the practical suppression of episcopacy; then, after a too brief period of recovery, another revolution, which seated a Calvinist, William III, on the throne; and then, after but twelve years of rule by a sovereign sympathetic to the Church, Queen Anne, the importation of a German Lutheran, George I, to wear the crown, and the commencement of a long supremacy of Whig politicians indifferent to the Church and readier to listen to its enemies than to its friends.

Local circumstances created additional difficulties. One was the strong minority of dissenters in the legislature, natively hostile to the Church, and ready at any time to join dissatisfied elements of the majority in attacking it. Another was the great size of the parishes, and their sparse and scattered population, which made ministrations laborious and,

¹⁵⁸Hawks, II, 236.

until the latest period, salaries small. A third was the fluctuation in the value of the medium in which salaries were paid, and the natural, if ungracious, habit of discharging clerical salaries in the poorest grade of tobacco. Even after increases in population and better tobacco prices together produced good salaries in many parishes, salaries in some unfavored ones remained too low. A fourth was involvement of the clergy in the legislative battles over officers' fees and clerical salaries, in connection with efforts to raise the price of tobacco through inspection and grading. A fifth was the opposition to ecclesiastical control manifested even by the laity of the Church, justified in part by the fear of application to the colony of an outworn inquisitorial system. Finally, there was, as the Revolution drew near, the connection of the clergy, through their oath of loyalty to the crown and the method of their appointment, with a disliked rule.¹⁵⁹

Disastrous Effects of the Revolutionary War

The important effects of the Revolution upon the Church in Maryland may be stated in summary form as an instant and large reduction in the number of clergy; deterioration or spoilation of many churches, chapels, parsonages and glebes; loss of governmental financial support; the necessity for a reorganization of Church government and finance. These will now be considered in order, with major attention to the last.

"Before 1776 the Parishes numbered forty-four¹⁶⁰ each having its rector and many his [sic] curate or assistant, of which there were ten or more. But before the 4th of July," four clergy "had abandoned their parishes, it being no longer safe for them, and gone to England."

"On the establishment of the State government [in 1776] the Bill of Rights deprived the clergy of their legal support, which they had enjoyed for three generations, and left them without it" [sic—"without any" must be meant.] "Not long after followed an oath required of them, which would be a violation of their ordination oath, forbidding them otherwise to preach the Gospel or officiate in the ministry."¹⁶¹ "Under

¹⁵⁹Some of these difficulties are mentioned by Gambrall, *Church Life in Colonial Maryland*, 99-103, 149, 152-154, 182-183, 212-213, 241. For an exposition of the difficulties produced by the oath of loyalty to the crown, which only Anglican clergy had to take, see Walter H. Stowe, "A Study in Conscience. . .," in *HISTORICAL MAGAZINE*, XIX (1950), 301-323.

¹⁶⁰At the outbreak of the Revolution, there were actually 47, three having been added under colonial legislation of 1770, as the author here quoted states in a later passage.

¹⁶¹This was Section 17, Ch. XX, of the session of June 1777 (in Hanson's *Laws*).

these restrictions," nine clergy (four rectors and five others) "gave up and went to England." Six more removed to Virginia, one to Pennsylvania, one to Delaware, four others to their estates or elsewhere in Maryland, three more, "and others," to teaching. Seven more died in the Revolutionary period.¹⁶²

Here then was a loss of more than 35 clergy out of some 54, leaving but some 19 or 20 in the state.

In 1780, there appear to have been in the state 25 parochial clergy and five others.¹⁶³ The *Journal* of convention of 1786 shows 29 parochial clergy; the *Journal* of 1788 shows 33 clergy, but does not say how many were parochial. There is no further definite indication of numbers until 1804, when the *Journal* states that there were in the state 39 clergy entitled to sit in convention (under canons specifying as qualifications holding or willingness to hold a cure; holding a teaching position; or age and infirmity). By 1809, however, the number had declined to 34. In 1812, it was 33; in 1815, 31. But in 1817 it rose to 37, and thence to 47 in 1820, of whom eight were deacons. But by 1820 the number of parishes had risen to 61, so that the shortage continued.

Bishop Kemp told his convention of 1817 that he could provide clergy for all the parishes if the laity would support them. The failure, excusable or not, of the laity to provide adequate salaries, and money for educating candidates for orders, undoubtedly retarded recovery, and, after recovery had commenced, prevented a rapid advance.¹⁶⁴ We shall consider this matter further when we deal with government and finance.

As to deterioration or spoilation of Church properties, Bishop Claggett told his Convention of 1794 that

"the slender patrimony of the Church is almost in every parish much neglected; the glebes have been injured; most of the parsonage houses are in a state of dilapidation; the parish libraries now in the hands of vestries have been greatly damaged."

¹⁶²Ethan Allen, historiographer, in an "Introductory" note to his *Protestant Episcopal Church Conventions in Maryland of A. D. 1780, 1781, 1782, 1783* (pamphlet, 1878). Allen says that he wrote his account "from unpublished and published reliable documents," and from state, county court, vestry, and family records.

¹⁶³*Ibid.*, pp. 4-6.

¹⁶⁴See the statements by the bishop, or the bishop suffragan, or committees, and various resolutions in the *Journals*, 1794, 1797, 1803, 1809, 1814, 1815, 1817, 1821.

Hawks, the historian of the Maryland Church to 1839, says, in a passage headed 1801:

"In Queen Caroline Church, Anne Arundel county, depredators had gone so far in their desecration and robbery that they had actually stripped the church of its pews and floors; and as there was no vestry in the parish, they could not be sued for the trespass, under the vestry law of 1798."¹⁶⁵

In 1817, the committee on the state of the Church reported to the Maryland diocesan convention:

"We claim more than eighty places of worship, but of these, some do not exhibit one stone, or one brick, lying upon another; . . . and many, for years past, except when accidentally visited by some travelling preachers, have been occupied by the fowls of the air and the beasts of the field."

There seems to be no authoritative complete account of the damage to the properties of the Church.¹⁶⁶ But the foregoing passages indicate its severity and extent.

Although the state government which succeeded that of the proprietaries almost necessarily put an end to the support of the Anglican Church by taxation, it did not treat the Church ungenerously. The Declaration of Rights adopted by the state convention of August 14, 1776,¹⁶⁷ announced that

"the churches, chapels, glebes, and all other property now belonging to the Church of England, ¹⁶⁸ ought to remain to the

¹⁶⁵*Contributions*, II, 340.

¹⁶⁶Dr. Henry Ammon, librarian of the Maryland Historical Society, in a letter of August 7, 1950, to the writer, says:

"As far as we know, and we have checked with a number of experts on Maryland history, there is no special list of depredations in existence."

¹⁶⁷This convention had been elected specifically to form a new government, pursuant to a resolution of a preceding convention held in July 1776. (The proceedings of both appear in Hanson's *Laws*.) It was a plenary convention, the action of which required no ratification by the voters. This appears from the method of its election and the absence of any subsequent vote.

¹⁶⁸This phrase, though convenient, is inaccurate. The Church of England never had title to any of the churches, chapels, glebes or parsonages used in connection with Anglican worship in Maryland. In *Terrett v. Taylor*, 9 Cranch (13 U. S.), 43, involving certain parish property in Virginia, Story, J., delivering the opinion of the court, said:

"the minister of the parish was, during his incumbency, seized of the freehold of its inheritable property, as emphatically *persona ecclesiae*, and capable, as a sole corporation, of transmitting that inheritance to his successors."

This, as a preceding passage in the opinion shows, was at common law. There is no reason to suppose that the legal situation was different in Maryland. Nor was it different in England. The Church of England had no title to parish properties.

Church of England forever. And all acts of assembly lately passed for collecting monies for building or repairing particular churches or chapels of ease, shall continue in force and be executed unless the legislature shall by act supersede or repeal the same . . . and every incumbent of the church of England, who hath remained in his parish and performed his duty, shall be entitled to receive the provision and support established by" the Church Act, "till the November court of this present year to be held for the county in which his parish shall lie or for such time as he hath remained in his parish and performed his duty."

And although no person ought

"to be compelled to frequent or maintain, or contribute, unless on contract, to maintain, any particular place of worship, or any particular ministry, yet the legislature may, in their discretion, lay a general and equal tax for the support of the christian religion, leaving to each individual the power of appointing the payment over of the money collected from him, to the support of any particular place of worship or minister or for the benefit of the poor."¹⁶⁹

The Declaration of Rights had thus established freedom from obligation to support "any particular ministry," but had suggested the possibility of a general tax for the support of all Christian ministries. The Maryland clergy and laity early petitioned the General Assembly to act upon this suggestion,¹⁷⁰ but the legislature, then (1780-1782) struggling with what its members probably deemed more immediate, if not more important, matters, "finding the public difficulties increasing signified their desire that all further consideration of the matter should be postponed to a time of less distress."

The effort seems to have been renewed in 1783.¹⁷¹ In 1795, convention voted a committee to confer with representatives of other communions on the subject. This committee reported in 1797 that it "could find no characters of other denominations who were willing, without authority from their respective churches, to give an opinion upon this important subject," which was all very well, but not what the committee had been told to do; it had not interpreted "representatives" in its intended meaning of "authorized representatives." We hear nothing further of the idea and seemingly it was dropped. It is

As to the common law theory of the ownership of inheritable Church property and its development, see the opinion of Story, J., in *Town of Pawlet v. Clark*, 9 Cranch (13 U. S.), 292, at 325-329, as to Church titles in Vermont.

¹⁶⁹Declaration of Rights, Section 33, in *Hanson's Laws*.

¹⁷⁰Ethan Allen, *P. E. Church Conventions in Maryland* . . . , 7-8, 10, 11, 13,

¹⁷¹*Ibid.*, p. 13.

difficult to see how such legislation could have been made workable; it would not have been easy to find administratively practicable means of enabling each voter to appoint to some parson, or to the poor, the amount of his tax.

The Problem of Financial Support

The Episcopal Church in Maryland was thus obliged to work out its own system of finance, and an onerous task it was; one, indeed, perhaps not yet satisfactorily accomplished in any diocese. The items to be provided for were: (1) the support of the parochial clergy, at a level high enough to attract new men into the ministry, as well as satisfy those already serving; (2) a fund for the support of the episcopate, so that the bishop need not be tied to a parish for means of support, and the diocese could thus receive his full attention; (3) funds for the bishop's visitation expenses; (4) funds for the education of candidates for the ministry; (5) the expenses of the annual diocesan conventions and of the deputies to General Convention; (6) money for missionary extension, both diocesan and national. Of these, only the first three are related to our study.

Toward support for the parochial clergy, local subscription was tried, but proved a failure. Bishop Claggett said to his diocesan convention of 1794 that "subscriptions are almost everywhere and every year decreasing, and worse and worse paid." Pew rents were recommended by a resolution of the same convention, apparently repeating an earlier recommendation, but the bishop's subsequent comment was that this device also had not been "attended by general success." Continuous exhortation by bishop and convention did not open purses, and priests drifted away from their posts, owing to inadequate pay, while potential candidates for the ministry were discouraged.¹⁷²

For the support of the episcopate, a canon adopted in 1806¹⁷³ required an annual sermon in each parish on the nature of episcopacy, to be followed by a collection, or by a subscription, in aid of a permanent fund. The rector was charged to state annually in his parish report whether or not he had fulfilled this duty. In 1807, a resolution specified

¹⁷²See the bishop's addresses to diocesan conventions of 1797, 1803, 1814; the report of the committee on the state of the Church, 1821; and Hawks, *Contributions*, II, 457, on conditions in 1826.

¹⁷³New XV, *Journal*, 1806, pp. 10-11. Apparently the idea had first been broached in 1804.

a fund to yield an annual income of \$2,000. But in 1809 the obligation of the clergy to preach the annual sermon was annulled.¹⁷⁴ In 1818, Bishop Kemp was calling attention to the importance of providing a fund for the episcopate. A committee report of the same year shows that the effort to create it had dragged. Hawks, writing in 1839, comments on the slow progress made.¹⁷⁵

Inducement to contribute toward the bishop's visitation expenses, after failure of a completely voluntary collection in each parish, was made stronger by a canon of 1797 dispensing the bishop from visiting any parish which failed to take up a collection. In 1798, reference was made to the obligation imposed by Canon I of General Convention of 1796¹⁷⁶ upon "the minister and vestry of every church or congregation," and \$100 was stipulated as the minimum sum which would oblige the bishop to visit. But in 1807 a committee reported that every other plan having failed, an assessment on each parish based on the amount paid its clergy should be levied, and convention adopted the recommendation.¹⁷⁷

Organization of the Diocese of Maryland

Colonial conditions in Maryland had produced such a conviction of the dependence of the Church upon the secular authorities for power to act at all,¹⁷⁸ that, in May, 1783, the clergy who happened to be present at the first annual commencement of Washington College petitioned the legislature for "leave to consult, and prepare and offer to the General Assembly, the draft of a bill" authorizing changes in the Prayer Book, and allowing organization of the Church in Maryland on the traditional model.¹⁷⁹

The petition having been granted, though over opposition,¹⁸⁰ an adjourned meeting of clergy in August 1783 produced the now well known "Declaration of Certain Fundamental Rights and Liberties of

¹⁷⁴*Journal*, 1809, p. 10.

¹⁷⁵*Contributions*, II, 356-357.

¹⁷⁶Actually, it was the General Convention of 1795; there was none in 1796.

¹⁷⁷*Journal*, 1807, pp. 7-8.

¹⁷⁸See the letter of the Rev. Alexander Adams to the Bishop of London, Sept. 29 and Oct. 18, 1752, in Perry, IV, 327-329, complaining that the clergy are not called together by the governor, and so cannot confer; and the instructions of the proprietary to Governor Eden, 1769, to forbid the clergy to meet for the purpose of acting in concert: Anderson, III, 202-203; Rev. Thomas John Claggett to the Bishop of London, Sept. 20, 1769, in Perry, IV, 340-341.

¹⁷⁹Ethan Allen, *P. E. C. Conventions*, p. 13. See also, Gambrill, p. 291.

¹⁸⁰See Hawks, *Contributions*, II, 292-294, describing the opposition of the sectaries.

the Protestant Episcopal Church of Maryland,"¹⁸¹ asserting the right to have episcopal ordination for the valid administration of the sacraments; to continue the three orders of ministers—bishops, priests, and deacons; to have sole control of property formerly belonging to the Church of England; and to revise the liturgy and forms of prayer and public worship. This Declaration was subsequently approved by the laity at a joint meeting with the clergy in June 1784.¹⁸²

There was some danger of a legislative attack upon episcopacy, such as might have made it impossible for the Church in Maryland to organize under a bishop, or even to preserve a valid ministry. In 1783, there was a legislative proposal to organize the Episcopal Church, in which was included a provision for non-episcopal "ordainers." Fortunately, the proposal came to naught, but it was necessary to make urgent argument against it.¹⁸³

At a convention held in Annapolis in August 1783, adjourned from the May meeting, the twenty-two clergy present elected as their bishop William Smith, formerly provost of the College of Philadelphia, but then rector of Chester parish in Chestertown, Kent County. Smith was a man of marked ability; a natural leader who became president of the House of Deputies of General Convention, and played an important part in the organization of the national Church. But he had some bad qualities, including intemperance in drink, and General Convention wisely refused to confirm his election.¹⁸⁴

¹⁸¹Ethan Allen, *op. cit.*, p. 15. For the text of the "Declaration" in full, see (1) Gambrall, *op. cit.*, pp. 287-291; (2) W. S. Perry, *Historical Notes and Documents* (Claremont, N. H., 1874), pp. 23-25; (3) *Maryland Diocesan Journal*, 1855, which reprints the proceedings of the early conventions, and where the text of the "Declaration" appears, pp. 4-7.

For a summary, see Walter H. Stowe, "State or Diocesan Conventions . . ." in *HISTORICAL MAGAZINE*, VIII(1939), pp. 231-232.

¹⁸²*Maryland Diocesan Journal*, 1855, Appendix, p. 10, where the meeting is titled "First Annual Convention of the Clergy and Lay Delegates," etc.

¹⁸³See Hawks, *Contributions*, II, 290-291; Stowe, in *HISTORICAL MAGAZINE*, VIII(1939), 226-227.

¹⁸⁴No mention of a request for confirmation, or a refusal, appears in the *Journals* of General Convention, but the fact that there was no confirmation is indubitable. For Smith's career and character, see *Dictionary of American Biography*, XVII, 353; W. S. Perry, *History of the American Episcopal Church*, II, 29; *Md. Dioc. Journal*, 1855, Appendix, pp. 19-20; H. W. Smith, *Life and Correspondence of the Rev. William Smith, D. D.* (2 vols., Philadelphia, 1879-80), especially Vol. II, pp. 100-102, 240, and Chap. LXII, pp. 450-455, where the author discusses why Dr. Smith was not consecrated a bishop.

Nine years later, the Maryland convention of May-June 1792 chose Thomas John Claggett in his place, and he was consecrated September 17th in New York, not long before his 49th birthday. Claggett was born in Maryland and had long been prominent in the ministry there. He was the first bishop to be consecrated on American soil.

The first Maryland convention to be attended by laymen, that of June 1784, received for discussion the following statement which was formally adopted by convention of 1789 as one of the "fundamental principles of a plan of ecclesiastical government in this State":

According to what we conceive to be of true Apostolic Institution, the Duty and Office of a Bishop differs in nothing from that of other Priests, except in the power of Ordination and Confirmation; and in the Right of Precedency in ecclesiastical Meetings or Synods, and shall accordingly be so exercised in this Church; the Duty and Office of Priests and Deacons to remain as heretofore.¹⁸⁵

This conception of the office of bishop presumably derives from St. Jerome.¹⁸⁶ It is true, of course, that the right to exercise all the sacramental functions of the bishop save ordination and confirmation has been conceded or delegated to presbyters.¹⁸⁷ But to say that the only distinction between bishop and presbyter lies in the bishop's (remaining) sole right to ordain and confirm, and in mere precedency, is far from the truth. The bishop's power of governing; his supreme pastoral responsibility; his guardianship of doctrine; his representation of the universal Church and of his diocese; and the fact that without the bishop to ordain and confirm there could be no continuity with the historic ministry, the historic sacraments, and the historic faith and ethics of the Catholic Church from Pentecost on—all show the insufficiency of the Maryland conception. The bishop alone carries the fulness of the apostolic commission. The low sacramental life of the colonial Church in Maryland and throughout America was largely due to the lack of bishops to confirm, with the result that even among Anglicans

¹⁸⁵Appendix to *Md. Dioc. Journal*, 1855, pp. 10-11; *ibid.*, 1789, p. 12; *ibid.*, 1790, Const. XV. See also, Gambrall, pp. 292-298, for text with comment; and Stowe, *HISTORICAL MAGAZINE*, VIII(1939), 236.

¹⁸⁶Ep. cxlvi, *Ad Evangelium*.

¹⁸⁷For the history of the concession, see T. G. Jalland, in Kirk (ed.), *Apostolic Ministry*, pp. 311-319; Dom Gregory Dix, in *ibid.*, pp. 281-282.

the Eucharist was seldom celebrated oftener than three times a year, and with pitifully few communions at any time.¹⁸⁸

The Maryland convention of 1800 thus directed its bishops as to how they should behave in convention:

"The Bishop of the Church in this State shall be president of the Convention. . . . He may make any motion, which he shall judge conducive to the good of the Church, but shall not enter into debate; and he may deliver his sentiments on any subject, after it has been discussed, before he" [*sic*—perhaps a type error for "*the*"] "vote thereon."¹⁸⁹

But Article XV of the constitution of 1790 recognized the bishop's duty to "visit and superintend" the parishes, and a truer understanding of his traditional position gradually evolved.

In 1811, Bishop Claggett, unable to attend convention because of illness, sent a written request for the election of an assistant bishop. Convention deferred action until the following year. In 1812, Bishop Claggett was present and the election took place, but the leading nominee, James Kemp, failed to obtain the required two-thirds vote in the lay order. Bishop Claggett told convention that he desired a suffragan, not a coadjutor, and the election of Kemp, which followed in 1814, was as suffragan. Claggett died August 2, 1816, after the convention of that year. In convention of 1817, Kemp made his appearance as diocesan without there having been a new election. A committee was appointed to consider

"whether any step was necessary to give to Bishop Kemp entire jurisdiction. The committee reported that nothing was required, more than had been done, to make him diocesan; yet, *ex abundanti cautela*, they recommended a resolution confirmatory of his rights as successor of Dr. Claggett, and Bishop of Maryland, which was adopted."¹⁹⁰

¹⁸⁸The reader who may wish to explore this subject further may consult the following:

On St. Jerome's views: (1) Burn-Murdoch, *Church Continuity and Unity*, pp. 137-147; (2) T. G. Jalland, in Kirk (ed.), *Apostolic Ministry*, pp. 319-340; (3) J. W. C. Wand, *The Latin Doctors*, pp. 64-66; (4) Cirlot, *Apostolic Succession*, pp. 369-380.

On the essential functions of the bishop: (1) W. K. Lowther Clarke, in *Episcopacy, Ancient and Modern*, pp. 41-44; (2) Darwell Stone, in *ibid.*, pp. 380-383; (3) A. G. Hebert, in Kirk (ed.), *Apostolic Ministry*, pp. 513, 518, 528-529, 531-533; (4) Burn-Murdoch, *Church Continuity and Unity*, pp. 36, 41-42, 59.

¹⁸⁹*Md. Dioc. Journal*, 1800, p. 4, amendment to the constitution.

¹⁹⁰Hawks, *Contributions*, II, 425-426.

There was in the constitution of General Convention, as it then stood,¹⁹¹ no provision defining the office of suffragan, and there was the provision, still in effect with slightly different wording to except the case of a suffragan, that "the Bishop or Bishops in every State shall be chosen agreeably to such rules as shall be fixed by the Convention of that State." If the Maryland convention which chose Kemp as suffragan intended, as apparently it did, that he should have the right of succession, there was nothing to forbid, although he definitely had not been elected coadjutor, and no jurisdiction as coadjutor had been assigned to him.

Clerical offenses were defined in a canon of 1788 as "disorderly, scandalous and immoral conduct, neglect of duty, or a disregard to the canons or rules of the church," to which was added, in 1792, "or disseminating or countenancing opinions which are contrary to its doctrines." In 1793, the clergy were ordered not to play at cards, dice, tables, or to engage in any vicious or unseemly diversion.

The power to impose discipline was declared to be in convention by a vote of October 1784, and was repeated in expanded form in 1789. That same year, the administration of the discipline of the clergy was by canon vested in convention, acting on a report by a standing committee of clerical and lay membership, following the investigation of charges preferred by the vestry of the accused. In 1791, the right of accusation was extended to include any "four or more communicants" of the parish. In 1794, the standing committee was authorized to prefer charges on its own motion, "although no accusation should be preferred by the vestry or four communicants." This provision was probably the result of a complaint the same year by Bishop Claggett that vestries did not always prefer complaints when they should.

In 1800, the bishop and standing committee were substituted for convention as the trial court. In 1807, the standing committee alone was made the court, acting on a presentment by the bishop, though apparently presentment by vestries or parishioners was still permitted, the bishop acting as a screening agency.

In 1821, the convention adopted the recommendation of a committee against the presence of laymen on the standing committee, because, *inter alia*, this committee was the court for the trial of charges against the clergy, and "an ecclesiastical tribunal composed of laymen would be a solecism not to be sanctioned by this Convention."¹⁹²

¹⁹¹That of 1789, amended in 1811 only as to procedure for additions to the Prayer Book.

¹⁹²See the discussion of this action in Gambrall, pp. 296-298.

Discipline was decreed also for the laity, but the subject lies outside our field.¹⁹³

We may now examine rules made for the parish clergy apart from discipline. The two principal Vestry Acts of 1779 and 1798,¹⁹⁴ which will be considered in more detail below in connection with their provisions regarding vestries, each provided for election of the parson by the vestry.¹⁹⁵ By the Act of 1779, his tenure was to be determined by agreement, but the Act of 1798 made it "for such time as the vestry may think proper."¹⁹⁶ In actuality the two provisions were equivalent. for the parson could refuse the vestry's terms, but the phrasing of the provision of 1798, with its note of lay dominance, is worth notice.

The parson's salary, by the Act of 1779, was to be raised by subscription, but nothing is said of any obligation to pay it; the Act of 1798 made it a matter of contract, though the vestry was empowered to receive subscriptions toward it. The Act of 1779 gave the parson the possession and use of glebe lands and their profits during incumbency; that of 1798 enlarged the scope of possession and use to include "houses, ground rents, books and other property belonging to the parish"; but cautiously adds: "except when he contracts otherwise with the vestry," and elsewhere expressly authorizes the vestry to contract as to the use of parish property, and makes the parson liable in treble damages for waste.¹⁹⁷

Powers and Duties of Vestries

The Act of 1779 fixed the number of vestrymen at seven, to be elected by "all the inhabitants of the said parish entitled to vote for delegates of assembly and contributing to the charges of the said parish." Two were to be retired annually by ballot, but with their own consent might be reelected. Vacancies were to be filled as they should occur, by a parish meeting; but, somewhat inconsistently, it was also provided that vacancies due to refusal to serve be filled by the vestry it-

¹⁹³The curious may examine the following early *Journals*: 1784, 1789, 1790, 1797, 1802, 1805, 1809. If General Convention should ever adopt canons for the discipline of the laity, the Maryland experiments will be of interest. The only present General Convention canons on the subject seem to be (as of 1952) Canon 16, "Of Regulations Respecting the Laity," Nos. 17 and 18, concerning "Holy Matrimony," and No. 19, "Of the Due Celebration of Sundays."

¹⁹⁴March Session, 1779, Ch. IX, Hanson's *Laws*; Ch. XXIV of 1798, Kilty's *Laws*. There were two supplementary acts: Ch. VII of November-December Session, 1779, and Ch. 189 of 1823, which do not concern us at this point.

¹⁹⁵Act of 1779, section XVI; Act of 1798, Section XV.

¹⁹⁶*Ibid.*

¹⁹⁷Act of 1779, Section XVII; Act of 1798, Sections VIII, X, XV.

self. Wardens were to be chosen at the same time as vestrymen, to serve one year. Fines were imposed for failure to serve as vestryman or warden. Regular meetings were to be monthly; special meetings could be called by "the principal vestryman," or, on his refusal, by any three others, or by two if there were but two.

Vestries were required to choose a register to keep a record of their proceedings and of all births, marriages and burials, and must set up in their church a table of consanguinity according to a late act of Assembly.¹⁹⁸

Vestries were given an estate in fee in all glebe lands, churches and chapels, and full ownership in accessories of worship, as trustees for the parish. A supplementary Act of 1779,¹⁹⁹ after reciting that the earlier one had failed to include "negroes, debts, and other property" among the items to be held by vestries, conferred ownership of these also; and authorized vestries to receive, and sue for debts, as "a body politic," i. e. as a corporation.

The two Acts of 1779 differed from the Church Act of 1702 and its supplements chiefly in the omission of tax support, the omission of the parson as a member and "principall" of the vestry, and the change in the tenure of the rector from life²⁰⁰ to an agreed term.

Whether or not the original Vestry Act of 1779 had been drafted by churchmen, it was badly drawn and incomplete, and needed further amplification than that of the supplementary Act of 1779. In the diocesan conventions of 1788, 1789, and 1794, attention was called to the need of new provisions, and in 1794 a committee was appointed to press for them. In the convention of 1795, this committee reported that it had taken no action. In 1797, a new committee was appointed, and in the convention of May-June 1798, Bishop Claggett reported that a bill had been brought in, but consideration of it had been postponed to the next session of the legislature. In 1799, he was able to report that the bill framed by the diocesan convention had been enacted with some few alterations. This was the Act of 1798, which was amended or supplemented as follows: in 1823, in aid of completely disorganized parishes; in 1827, as to assistant ministers; in 1828, as to dates and places of meeting; in 1833, as to certificates of birth,

¹⁹⁸This was Ch. XII of the session of February-April 1777, in Hanson's *Laws*. It was followed by Acts of 1785 and 1790, which repealed parts of it and were not so satisfactory to the Church, which in the convention of 1805 asked the bishop and standing committee to petition the legislature for their repeal.

¹⁹⁹November-December Session, Ch. VII, Hanson's *Laws*.

²⁰⁰There was no provision as to tenure in the Act of 1702 or in any of its supplements; the ecclesiastical law of England determined the tenure.

marriage, and burial; in 1922, to permit women to vote at elections in any parish which should so provide; and in 1949, to allow parishes to regulate by by-law the election, number, and terms of vestrymen. This act, as amended, still is effective in parishes organized under it or erected by diocesan convention out of old parishes, or in new areas, under a permission given by the Act of 1798.²⁰¹

The Maryland Vestry Act of 1798 has an interest for us which requires detailed examination of its provisions. In the first place, although it is an act of the secular legislature, it was drafted and sponsored by the Maryland Church, and thus takes its place among the various provisions regarding vestries made by the dioceses and by General Convention, of which it is the earliest example. Next, it raises the question of the merits and demerits of secular provision for the government of the Church. Finally, "it is the view of many lawyers in the State that the Vestry Act may not be repealed in so far as it applies to any parishes in the State which came into existence prior to the adoption of the Maryland Constitution of 1851,"²⁰² providing *inter alia* against irrepealable charters (in view of the decision in the Dartmouth College case).²⁰³ If the act is not repealable, then any canon of the General convention or of the diocese, which stipulates for the clergy a tenure other than that provided by the act, puts the Church into conflict with the state.

We take up now the provisions of the act in detail, omitting those already noticed.

The number of vestrymen to be elected is fixed at eight, and the rector is restored to a place on the vestry as its ninth member. He is to preside at meetings, collect votes, and, except where personally interested, vote in case of a tie.

The qualifications for voters at an election of vestrymen are membership in the Church, attainment of 21 years, "free white male" status (a provision now obsolete so far as it affects Negroes, and capable of

²⁰¹The Vestry Act of 1798 legislates for parishes in existence at the date of its enactment (cf. Section II: "That vestries shall be chosen for each parish within this state," &c) and for those erected by diocesan convention under the permission conferred by Section XXXIII. But, in 1802, the legislature provided for the incorporation of churches of any religious denomination, and some Episcopal parishes are organized under it or by special act. See the committee report in *Md. Dioc. Journal*, 1936, pp. 56-68.

²⁰²Carlyle Barton, Esq., chancellor of the diocese of Maryland, in a letter of January 25, 1950, to the writer. Presumably Mr. Barton would agree, however, that such parishes could surrender voluntarily their rights under the act. For a discussion of the question as to the irrepealable character of the act, see the committee report in *Md. Journal*, 1936, at pp. 60-62. The committee holds that the act is not irrepealable.

²⁰³17 U. S. 518, 4 L. Ed. 629 (1819).

change by parish action in the case of women, as noted above), residency in the parish, contribution of two dollars or less to the charges of the parish, and enrollment on the parish books at least one month preceding the election. A majority of vestrymen attending the election are made judges of election and of the qualifications of voters and of nominees.

Vacancies are to be filled at a special parish election called by the rector, or if there be no rector, by any two vestrymen.

The term of office of vestrymen is left indefinite in any given case by retention of the colonial provision for retirement of some vestrymen annually. Here the number to be retired by annual ballot is four, but, as previously, the men so retired are made re-eligible. The qualifications for the office of vestryman are those for electors.

Two wardens are to be chosen annually by the vestry. They are empowered to arrest anyone guilty of a breach of the peace, disorderly conduct, or disturbance of the congregation, but have no other specified powers.

There are penalties for refusal to serve as vestryman or warden.

The vestry meets quarterly on specified dates, or at special meetings called by the rector, or, in case of his absence, refusal, or neglect, by any two vestrymen. It is given, "as trustees of the parish . . . an estate in fee simple in all Churches and Chapels, and in all glebes and other lands," and "a good title and estate in all other property heretofore belonging to the Church of England, or which shall hereafter belong to the said Church, now called the Protestant Episcopal Church in Maryland." The legislature added that the vestry was to have property in books, plate, and other ornaments.

The powers and duties specified are: choosing the minister or ministers (either as "associated rectors" or as rector and associated ministers), and lay readers; contracting with these for their respective salaries and as to the use and occupation of parsonage, glebe, or other property of the parish; receiving subscriptions toward salaries; appointment of a register to record vestry proceedings, and all baptisms, marriages, and funerals; management of all parish property.

The vestry is made a corporation, with the right to sue and be sued, and to have a common seal. As a corporation it may purchase, take, and hold realty; rent or lease; purchase personalty; receive gifts or bequests. These last powers are subject to the requirement imposed by the Declaration of Rights, mentioned just below. The clear yearly value of the estate of any vestry, exclusive of pew rents, collections and charges, may not exceed \$2,000. Repeating an exception made in Section 34 of the Declaration of Rights of 1776, which forbade religious

societies, ministers or teachers or preachers of the Gospel, to receive or hold, without consent of the legislature, real or personal property, the Vestry Act authorized the purchase of two acres for burials or for a church or parsonage.

Vestries were forbidden to sell, alien or transfer any corporate estate or property without the consent of both wardens, and of four vestrymen and the rector, or, if there were no rector, the bishop. The application to debts due the minister from the parish, of the proceeds of the sale of property, was forbidden also.

Supplementation of the Act of 1798 to provide for election of vestrymen in parishes so completely disorganized that no vestry was in existence to enroll voters for a parish election, or to prosecute despoilers of churches, was obtained in 1824²⁰⁴ after too long a delay.

There was, of course, canonical legislation on vestries in addition to the secular. This we may now notice.

Each parish was given the right to choose its own clergy.²⁰⁵ Selection by the vestry is implied in canons decreeing that no vestry might receive a minister unless he produced a testimonial, would subscribe conformity,²⁰⁶ and produced a certificate from the bishop, or from the standing committee if there was no bishop, "of his Episcopal Qualifications and religious Character."²⁰⁷

Delegates to diocesan convention were to be chosen by the vestries.²⁰⁸ It was recognized that only those parishes which were represented in convention or ratified its acts, were bound by its legislation.²⁰⁹ Yet a non-concurring parish, that is, one which is not in union with the convention of its diocese because it fails or refuses to associate itself with it, is composed of churchmen, and these must be subject to some law. The problem thus raised is not peculiar to Maryland; there are other, probably many, dioceses in which association or union with the diocesan convention is voluntary.

²⁰⁴The act is always cited as of 1823, being Ch. 189 of the session which commenced in December 1823. But the date of the enactment was February 23, 1824. On the need of the act, see Hawks, *Contributions*, II, 340-341, 450.

²⁰⁵"Plan of Ecclesiastical Government, 1784" (adopted 1789), III: in *Maryland Diocesan Journal*, 1789, p. 12; also in Appendix to *ibid.*, 1855, p. 11.

²⁰⁶*Md. Journal*, 1788, Canon XI: reprinted in *ibid.*, 1855, Appendix, p. 30; *Journal*, 1789, Canon XI.

²⁰⁷*Journal*, 1793, Canon XV.

²⁰⁸*Journal*, 1788, Canon V, reprinted in Appendix to *ibid.*, 1855, pp. 28-29; *Journal*, 1789, Canon V. In the absence of a vestry, the congregation was to choose.

²⁰⁹*Journal*, 1788, Canon XIII, reprinted in Appendix to *Journal*, 1855, p. 31; see pp. 31-36 for a list of parishes represented ratifying, and failing to ratify; *Journal*, 1790, Const. XVII, XVIII.

The "association" system, as a basis for legislative jurisdiction, is unknown to canon law. Canonical diocesan legislation is always by the bishop and clergy in synod, with, in some Anglican provinces, the addition of representatives of the laity. It is the duty of the clergy to attend synod: that is clear canon law; and it may be argued that if the province, or the diocese, concedes to the laity of the parishes associated with convention a right of attendance through representatives, those representatives must attend also; and in any case, their parishes are bound by the decisions of the synod. Parishes which have failed to associate themselves with convention are nevertheless bound by its legislation, because canonically there can be no exception to the power of the bishop over the faithful within his territorial diocese, whether that power be expressed in legislation with the advice and consent of his clergy, or in some other canonical manner.

Nor may secular rights conferred upon a parish by incorporation be used to resist the duty of obedience. The parish obtains from the state the benefits of incorporation by permission of bishop and convention, or, in the case of parishes incorporated before the establishment of the diocese, holds them by such permission, for the furtherance of the purposes of the Church. Most secular courts today would presumably uphold the duty of obedience in such cases upon proper proof of its existence.

In 1792, convention provided by canon for the formation of new parishes by the indirect method of permitting the election of new vestries "when a separate cure shall be formed in a parish," but wisely reserved to itself the decision on whether a new cure were needed, and on the ability to support a parson.²¹⁰ In 1795, however, a revision was made which seems to surrender to the vestry of the existing parish the decision on the necessity for a new cure. But in 1803 convention resumed the right to make this decision,²¹¹ which indeed it already had under the Vestry Act of 1798.

Three wise proposals were submitted to the convention of 1800. The first was that when a parish lacked a vestry, a committee of convention should take possession of its property, and manage its funds for it; the second, that when a parish, though having a vestry, lacked a minister, convention should require the vestry to account to each stated convention for parish funds and expenditures; the third,

²¹⁰IX (election); X (decision by convention). In 1793, Canon IX was amended to provide that the method of election should be that ordered by the Vestry Act (of 1779). Canon X was superseded in 1795, as shown in the text.

²¹¹New Canon XXVII.

that convention might sue any vestry or committee wilfully injuring or suffering to be injured the church or estate of the parish. But the proposals were not enacted. Perhaps convention doubted its power to enact them, for, instead of doing so, it established a committee to petition the legislature for a supplement to the Vestry Act conferring the powers proposed. However, the spiritual, though not the physical, care of vacant parishes was provided for by a canon empowering the bishop to place them under the care of neighboring clergy.²¹²

In 1808, an effort was made to attain the same objects, or some of them, by means of a bill to incorporate the convention; the purpose of which, as stated to convention of 1809 by the committee in charge, was to place under the care of convention the properties of parishes having no vestries. The bill passed the House of Delegates with only seventeen negative votes, but was rejected by the Senate. The committee could attribute rejection only to press of business, for, it said, the statute books were crowded with laws for the incorporation of various religious societies and "this is the first instance of a refusal to grant, or of any opposition to, such a law." However, incorporation of convention was not obtained until 1840.²¹³

By Canon VI of 1790, wardens were ordered to provide the bread and wine for the Eucharist, and to "preserve order and decency." In 1800, the same resolution, which established a committee to petition the legislature for certain powers over the parishes, asked legislation permitting wardens to be chosen (by the vestry) from among either the members of the vestry or the congregation at large, and conferring upon them the powers and privileges of vestrymen. The Act of 1798 required them to be chosen from the electors, and did not make them vestrymen. The desired legislation seems never to have been obtained.

So much for the canons concerning vestries and wardens. In 1805 occurred an early instance of the revolt of a parish against convention rule. The convention of 1805 had ordered its secretary to print and sell to the parishes the "articles" of the Church and its canons on discipline, prefixed by a pastoral letter from the bishop. One hundred fifty copies were sent to St. Paul's, Baltimore, with a bill. The rector returned them with word that he had been instructed by his vestry to do so. The convention of 1806 rebuked the parish and ordered it to receive, distribute, and pay for the pamphlets—with what effect does not

²¹²*Journal, 1800*, pp. 6-7.

²¹³By Ch. 67 of that year, amended in 1856, Ch. 17; in 1878, Ch. 403; in 1937, Ch. 87.

appear from the *Journals*. Obviously the convention was not on very strong ground.

A more important revolt occurred some ten years later. The standing committee, following an investigation of rumors, charged the rector of St. Peter's, Baltimore, the Rev. George Dashiell, with scandalous, immoral and obscene conduct. Dashiell's vestry supported him, and he refused to appear for trial. Sentenced *in absentia* for contumacy, and deprived and deposed, he continued to officiate. Some parishioners opposed to him then brought a mandamus proceeding in a local court to require the vestry to report a vacancy and choose another minister, and to enjoin the vestry from permitting Dashiell to officiate in church or to continue to occupy the rectory. The proceeding was discharged because the two judges who heard the case could not agree. But at the next parish election, the opponents of Dashiell were victorious and chose a new rector. Dashiell withdrew, and harmony reigned again between parish and diocese.²¹⁴

General Convention versus Maryland on Clerical Tenure

The convention of June 1804 ordered that,

"No Minister shall be considered as regularly inducted or settled hereafter as the Rector of any Parish, except he have been inducted or settled, according to the Office of Induction, prescribed by this Convention."

This office, prescribed in a prior resolution of the same session, was the office in use in the diocese of New York²¹⁵ (since 1802), as the resolution shows. General Convention of 1804, meeting the following September in New York, also adopted an Office of Induction, based on the New York office.²¹⁶

²¹⁴I have stated only the salient facts. A fuller account is given in Hawks, *Contributions*, II, 415-421. See also the *Journals of 1816 and 1817*; J. Thomas Scharf, *History of Baltimore City & County* (Phila. 1881), 522; and especially a contemporary pamphlet: *The State of Maryland against the Vestry of St. Peter's Church* (&c), in the library of the Maryland Historical Society (MF-236-SP2D23), which gives in full the proceedings in the Baltimore County Court, September Term 1816, with the opinions of the two judges.

²¹⁵*Journal, 1804*, p. 11.

²¹⁶See *General Convention Journal, 1804*, in W. S. Perry's Reprints, Vol. I, pp. 296, 298, 301, 308, 313. The *Journal* does not give the text of the office, but it will be found in William McGarvey, *Liturgiae Americanae* (Philadelphia, 1897), pp. 451ff. See also L. & W. 719.

The action of the Maryland convention of 1804 was presumably due to realization that under a canon of General Convention of 1799, no Maryland clergyman employed for a limited time—and most or all of them were so employed, by virtue of the permission given in the Vestry Act of 1798 and the reaction against life tenure caused by colonial conditions—could vote at a diocesan election for bishop.

The General Convention Canon of 1799 here in question read:

"No clergyman employed by the year, or for any limited time, shall be considered as a regularly officiating and resident Minister of the Church in any State, for the purpose expressed in the two concluding sentences of the 1st Canon of 1795, entitled 'A Canon concerning Episcopal Visitation.'"²¹⁷

The first of the two concluding sentences in the canon of 1795 read:

"And no State shall proceed to the election or appointment of a bishop, unless there be at least six presbyters residing and officiating therein, a majority of whom, at least, shall concur in such election."

The second concluding sentence had to do with joinder of two or more states (dioceses) in the election of a bishop to serve all of them.²¹⁸

General Convention of 1804, having adopted, as already shown, an Office of Induction, incorporated into a revision of an earlier canon²¹⁹ on the selection of parish clergy a provision for their induction "according to the Office established by this Church," after having satisfied the bishop of their "sufficiency."²²⁰ And by another canon²²¹ it prohibited the dismissal of a "regularly inducted or settled" minister, "without the concurrence of the ecclesiastical authority of the diocese or state."

These provisions by General Convention were not new inventions. They expressed merely the ancient polity of the Church in the field of the selection and tenure of parochial clergy, by which, whatever the concessions made to the laity as a result of the growth of the patronage system, or through other causes, the bishop retains the right to pass upon the sufficiency of the parson in canonical age, ordination, learning, orthodoxy, and morals, and the parson is protected against arbitrary dismissal.

²¹⁷General Convention, *Journal*, 1799, Canon III, in Perry's Reprints, I, 249.

²¹⁸General Convention, *Journal*, 1795, Canon I, in Perry's Reprints, I, 207.

²¹⁹Canon XVII of 1799 was a revision of Canon XVII of 1789: see Perry's Reprints, I, 130, 243.

²²⁰Canon I, 1804: see Perry's Reprints, I, 321. The canon forbids a deacon being inducted until he has received priest's orders.

²²¹Canon II, 1804; Perry's Reprints, I, 320-321.

But undoubtedly these provisions ran counter to prejudices born of colonial conditions, and to such legislation as the Maryland Vestry Act of 1798. They were not, indeed, in necessary conflict with the Vestry Act, since this left the matter of tenure to the vestry (or, more accurately, to vestry and parson bargaining together, though the parson of those days had little leverage for bargaining), and vestries could have complied with the canons of the national Church by the simple expedient of revamping present tenures, and ordering future ones to accord with the legislation, present or future, of General Convention.

But in Maryland, and finally in General Convention, another course was taken. In the Maryland convention of 1806, approval was given to a committee report declaring that the two above-mentioned canons of General Convention, and the prescription by General Convention of an Office of Induction,

"do not interfere with the qualifications, requisite to a seat in the State Conventions, nor disqualify clergymen elected and settled in churches or parishes since the passage of said canon (although they may not have been inducted) for having seats in the present Convention, provided their qualifications are such as are required by the Constitution of the Church in this State."

And in the same Maryland convention of 1806 a resolution was adopted, declaring that Canons I and II of the last General Convention (i. e. 1804):

"do not interfere with the powers given Vestries by law, nor with any election or agreement, which they may make with their respective Ministers; and that Ministers elected by the Vestries, since the passage of said canons, for a limited time, who may be inducted, in case they should continue after the time of their election, in consequence of a new agreement made with their vestries, need not be inducted again; but that the first induction shall be deemed sufficient to entitle them to be received, as regularly settled Ministers in such parishes."

Finally, in the Maryland convention of 1807, the Maryland deputies to the next General Convention (1808) were instructed:

"to use their endeavours to have the 1st and 2nd canons of the general convention of 1804 reconsidered, as far as they relate to the induction of ministers into churches or parishes," because "great inconveniences are apprehended, within the State of Maryland, . . . when applied to future elections of a bishop of this Church, and from an uncertainty, as to the effects of induction, when viewed in conjunction with the vestry act."

In the General Convention of 1808, the Maryland deputies informed the House of Deputies of their instructions, whereupon, by resolution, the subject of induction was referred to the Deputies' committee on canons.²²² This committee proposed changes in the Office of Induction which were adopted by the Deputies and sent to the House of Bishops, who concurred in them.²²³ The changes made were to title the office "Institution" instead of "Induction," and to prefix to the Letter of Institution in the office a rubric reading:

"In any State or diocese, the concluding paragraph in the Letter of Institution may be omitted, where it interferes with the usages, laws, or charters of the Church in the same."

This "concluding paragraph" authorized the person inducted "to claim and enjoy all the accustomed temporalities" until parson or congregation should desire a dissolution of the pastoral relation, "of which you will give us due Notice," but of the necessity of dissolution the bishop was to be "the ultimate Arbiter and Judge."²²⁴

Further, in the first rubric of the office, the word "shall," preceding the provision for transmission of a letter of institution to a presbyter appointed to make institution, was changed to "may." And Canons II and IV of 1804, (Canon IV being the Dissolution Canon) were amended by adding to each a clause reading:

"This Canon shall not be obligatory upon those States and Dioceses with whose usages, laws, or charters it interferes".²²⁵

But General Convention of 1808 paid its compliments to state laws or diocesan usages, which limited or made uncertain the tenure of the rector, by the following concluding paragraph of its Canon XXIX:

"But it is understood that this Church designs not to express any approbation of any laws or usages which make the station of a minister dependent on anything else than his own soundness in the faith, or worthy conduct. On the contrary, this Church trusts that every regulation in contrariety to this, will in due time be reconsidered; and that there will be removed all hindrances to such reasonable discipline as appears to have

²²²General Convention, *Journals*, Perry's Reprints, I, 342.

²²³*Ibid.*, pp. 347, 357.

²²⁴Text in McGarvey, *Liturgiae Americanae*, p. 454.

²²⁵Unfortunately, the text of the canons of 1808 was not printed with the *Journal* of that year, but as a separate pamphlet: see the note in Perry's Reprints, I, 359. The particular amendment quoted in the text above is given in E. A. White, *Constitution and Canons*. . . (1924), p. 700, and in White and Dykman, *ibid.*, II, 171 (now Canon 46).

belonged to the Churches of the most acknowledged orthodoxy and respectability."²²⁶

The hope here expressed was not fulfilled. The surrender of traditional tenure and discipline to the desires of secular legislators and of dioceses made in 1808 is still expressed in the canons of General Convention.²²⁷

Revival of the Church in Maryland

The low point of the immediate post-Revolutionary period in the Church in Maryland may be said to have been touched in 1809. In the *Journal* of that year, the number of clergy entitled to sit in convention is recorded as 34, including the bishop; but only 13, including the bishop, attended. Thirty-six parishes were in arrears for one or more of the expected contributions. A committee report mentions the need to "rescue our Church from her present degraded situation."

The report of the committee on the state of the Church to the General Convention of 1811 was brief, realistic, yet hopeful:

"The Church in Maryland is still in a deplorable condition; the zeal, however, manifested in some parts of the State, yield a hope, that she will again rise, and become a distinguished part of the Church in the United States."²²⁸

Three years later, the same committee reported that "the Church in Maryland still continues in a state of depression,"²²⁹ but by 1817 conditions had greatly improved.²³⁰ The very next year, 1818, Bishop Kemp said to his convention:

"I think we may fondly venture to hope, that the clouds which obscured the face of the church in this diocess (*sic*) have been in a great measure dispelled,"

and the diocesan committee on the state of the Church confirmed this by referring to "the rising prosperity of the church, the great increase of ministers, and the zeal and unanimity which pervade this convention."

In 1820, General Convention's committee on the state of the Church buttressed this more optimistic appraisal with figures:

²²⁶Text in E. A. White, *op. cit.*, pp. 700-701, and in White and Dykman, *ibid.*, II, pp. 170-171. In the revision of the canons by the General Convention of 1832, this admonition was dropped: see Perry's Reprints, II, p. 476 (Canon XXXIV).

²²⁷See Sec. 4 of Canon 46, "Of the Dissolution of the Pastoral Relation," as set forth by the General Convention of 1952.

²²⁸General Convention, *Journal*, 1811, Perry's Reprints, I, 380.

²²⁹*Ibid.*, I, 416.

²³⁰*Ibid.*, I, 474.

"... Since the General Convention [of 1817] . . . 819 persons have been confirmed, eight churches have been consecrated, fifteen persons have been admitted to holy orders; eight to the office of deacon, and seven to that of priest; and nineteen clergymen have removed into the diocese, from other states. Several religious societies have been established and some are already productive of much good."²³¹

Bishop Kemp's own appraisal, given to the Maryland convention in 1823—four years before his death²³²—is a proper conclusion to this study:

"When I look back to the depressed state of the Church at the time I entered the holy ministry [1789], and contrast that state with the present appearances, my heart expands with joy, and I am completely confirmed in the belief, that to extend the limits and the influence of this truly apostolic Church, nothing is wanting but a sufficient supply of well educated and faithful ministers."²³³

²³¹General Convention, *Journal*, 1811, Perry's Reprints, I, 539-540.

²³²JAMES KEMP (May 20, 1764-October 28, 1827) was a Scotsman, born in Keith Hall parish, Aberdeenshire, Scotland. He graduated at Marischal College, Aberdeen, in 1786, and emigrated to Maryland in 1787. He studied theology under the Rev. Dr. John Bowie, rector of Great Choptank parish, Maryland. Bishop William White ordained him deacon, December 26, 1789, and priest the next day, in Christ Church, Philadelphia. He thus knew whereof he spoke: he had lived through the Episcopal Church's most "depressed state," and he could take considerable credit for having led the Church in Maryland into the era of revival. [See W. S. Perry, *The Bishops of the American Church* . . . (New York, 1897), p. 35; J. C. Ayer, "James Kemp," in *Dictionary of American Biography*, X, 318-319.]

²³³Quoted in General Convention, *Journal*, 1823, Perry's Reprints, II, 39.

Bishop Hobart's Emphasis on Confirmation

By Julien Gunn, O. H. C.*

DURING the opening years of the nineteenth century, American Protestantism renewed its effort to convert a country which was considered to be plunged in unbelief and sin. In its way, this was simply the continuation of that movement which had started with the "Great Awakening" of 1740, but had been arrested temporarily by the upheaval of the American Revolution. Evangelism was started once more after the newly established republic had settled down to independent existence. But the circumstances of 1800 were different in many respects. The outbreak of the French Revolution and the consequent spread of "Jacobinism and infidelity," the tardy flowering of Deism and rationalism, awakened Christian leaders to the fear that soon ungodliness would bring about the ruin of the United States. Indeed, the intractable conservative, Timothy Dwight, Federalist and ultra-Calvinist president of Yale College, found in the spread of Jeffersonian democracy and universal suffrage a sign that disaster was approaching.¹ Added to this threat, it was a fact that less than ten per cent of the population was in any way connected with religious bodies.

The first fifty years of the century marks a period of great evangelistic activity on the part of American Protestantism. Denominational colleges and theological seminaries for the training of ministers were established, missionary societies sprang into existence, while revivals in settled communities, as well as in the open air along the thinly populated frontiers of Tennessee, Kentucky, Ohio and western New York, gave evidence that the perishing were taking to heart the warning to repent and believe the Gospel. In the main there was developed a pattern of evangelism which sought to bring the unchurched and hardened sinners into the fold of Christianity by emotional preaching, cal-

*Father Gunn, a member of the Order of the Holy Cross, has near completion a full-length biography of Bishop Hobart, which has long been needed.—*Editor's note.*

¹Vernon L. Parrington, *Main Currents in American Thought* (New York, Harcourt, Brace and Co., 1930), I, 361-362.

culated to stir the conscience and awaken a response to a need for salvation. As the presence of a large population of Roman Catholics was absent at this time from the American scene, the approach to religion was understood almost universally in this revivalistic sense.

The Episcopal Church but recently had begun its painful recovery from the shock of the American Revolution, which cut her relationship with the mother Church of England. Suspect, rather generally despised and shunned by the large majority of the population, she appeared to be the vestigial remains of the old order, or as was popularly said, "some of the baggage left behind by General Howe." The American Episcopal Church went through a period of reorganization and readjustment from the period roughly marked by the years 1784 to 1811, during which time local autonomy was established, with its system of Church government; episcopal succession was obtained, and a period of convalescence was successfully passed. If evangelism on the part of the bishops was slow in this period, to the detriment of the new ecclesiastical body and with the consequent loss of potential members, it nevertheless helped the American people in general, and the Church in particular, to become used to the presence of the once-feared episcopacy on home soil.

The first generation of bishops, on the whole, were not inclined to exert themselves as chief pastors, but waited to be called upon by clergy and laity to perform their distinctive functions. Bishop Seabury of Connecticut, alone, showed any marked inclination to aggressive activity, but his death in 1796 robbed the Church of his example. Provoost of New York was more interested in the study of botany and his translation of Tasso's *Jerusalem Delivered* than in his diocese; Robert Smith of South Carolina is reported never to have confirmed during the six years of his incumbency; and William White of Pennsylvania as late as the 1830's registered his disapproval of the opinion that bishops should "always be engaged in visitations."²

Spurred on by the example of the evangelistic practices of American Protestantism, the Evangelicals within the Episcopal Church began to experiment with new methods of devotion and instruction, which had the effect of turning the attention of their congregations away from *The Book of Common Prayer*, the official liturgy. Prayer meetings were held at which extempore devotions were conducted. Whereas these devoted clergy cannot be accused of deliberate efforts to supplant

²William White, *Memoirs of the Protestant Episcopal Church . . .* (New York, 1836), 2nd ed., p. 392.

the prescribed offices of the Church, their activity tended to weaken the attachment of their congregations to the distinctive ethos of Anglicanism as inherited from the Church of England.

High Churchmen, whose influence had emanated principally from Connecticut, were not in sympathy with these practices of their brother clergy. As they were leaderless during the first decade of the century, they could raise no effective opposition to these irregular trends. In some ways it would appear that in the early nineteenth century the Episcopal Church was destined to become a Protestant body, with episcopal organization and an optional liturgy to be its distinguishing marks from the rest of dominant American Christianity. At this time there appeared on the ecclesiastical stage a figure whose personality and policies would bring about an alteration in the scene.

During late December, 1800, a young deacon with his recently wedded spouse, moved from Long Island to assume his duties on the staff of Trinity Parish, New York City. This twenty-five year old clergyman, John Henry Hobart, had been incumbent in three other charges during the past two years. Of a nervous and impulsive temperament, he had found the academic life of the College of New Jersey [now Princeton University] more to his liking than parochial work. As a matter of fact, he had delayed in taking orders for several years, despite the gentle urging of his mother and his patron, Bishop White. It was only with misgivings and a feeling of insecurity that he set his face towards the task of an active ministry in a large city with his multifarious duties and engagements. However, Hobart's rare potentialities began to manifest themselves, for during the following ten years he worked himself to the head of the clergy of New York, to become the outstanding priest of the diocese.

This accomplishment was made possible by an industry scarcely met with at that time. His years of study gave him a mastery of theology which, though neither original nor scholarly, was well suited for popular exposition. In 1804, he published two works which were destined to have a marked influence on the devotional life of the entire Church:

- (1) *A Companion for the Altar* and (2) *A Companion for the Festivals and Fasts of the Protestant Episcopal Church in the United States of America*.

To illustrate the wide circulation of these two volumes, the first had been through twenty-three editions by 1851; the second was in its twenty-fifth edition in 1882, having been taken over by E. P. Dutton, a publishing house of national reputation.

To this devotional writing should be added his contribution to the somewhat acrimonious debate over the necessity of episcopal orders in the Linn-Mason controversy. The two books which Hobart published as the result of this encounter gave the Episcopal Church's version of the dispute, and these were instrumental in awakening a large group of churchmen to their unique heritage:

(1) Hobart, J. H., (editor) *A Collection of the Essays on the Subject of Episcopacy, which originally appeared in the Albany Centinel* (New York, T. & J. Swords, 1806); and (2) Hobart, J. H., *An Apology for Apostolic Order and its Advocates* (New York, T. & J. Swords, 1807).

From the first meeting of the diocesan convention which he attended after coming to New York, until his consecration as assistant bishop of the diocese, Hobart served on nearly every elective committee of that body, working with great efficiency and zeal. Missionary activity in the rapidly growing areas of central, northern and western New York had thitherto been neglected, but under the leadership of Bishop Benjamin Moore, and with the energetic activity of Hobart who was the secretary of the diocesan missionary society, a change for the better began to be apparent.

His preaching soon became a matter of discussion, for the rather undersized, bespectacled young cleric, who stood in the towering pulpit of Trinity Church, preached without notes, and with an enthusiasm and conviction which spoke rather of the warmth of Methodism than of the accustomed restraint of Episcopalianism. His vibrant and warm personality, his love of souls and his firm attachment to his Church, brought not a few New Yorkers under the spell of the rising young clergyman.

When the aging and overworked diocesan, Benjamin Moore, suffered a severe stroke of paralysis in early 1811, it was evident that John Henry Hobart was the man who would be elected to assume the episcopal office in New York. Hobart's election as assistant bishop followed but not without determined and stubborn opposition by a small group who had been offended by his churchmanship and alleged overbearing conduct towards them. Despite the efforts to contest his suitability for the office, Hobart was consecrated on May 29, 1811, along with the bishop-elect of the Eastern Diocese, Alexander Viets Griswold, a Rhode Island Evangelical. The ceremony marked a new era for the American Church, for as both men knelt for the laying on of hands, they represented the first generation of locally trained and ordained clergy of the Episcopal Church.

Hobart was faced with a tremendous responsibility. Upon consecration, he became bishop *de facto* of a jurisdiction containing 48,000 square miles of land area; he had to restore order to a diocese torn with party strife, of which he was the center; and the Episcopal Church had to be commended to a great number of people who misunderstood her. In the vast area lying beyond Schenectady, there were stationed but three clergymen to proclaim the teachings of the Episcopal Church, and to succor with their ministrations those churchmen who were settling this region.

One factor which contributed to the difficulties which Hobart faced was the comparatively recent addition of the episcopate to the Episcopal Church, which had become settled in her ways during the colonial period. Ordinations and confirmations had but lately been held in the United States. Whereas ordination was necessary for the elevation of a layman to the ministerial status, and had been sought in England during the colonial era, confirmation had been absent for so long a time from the life of Episcopalians that it was difficult to make the rite widely acceptable.

Confirmation had never been administered in the British colonies of the New World until the close of the eighteenth century. From the founding of Virginia in 1607, until the return of Bishop Seabury in June, 1785, after consecration in Scotland, no Anglican bishop had set foot on American soil. "The Order of Confirmation" remained in *The Book of Common Prayer* as a mute witness to the crippled life of the Church without the presence of bishops. With the advent of the episcopate in the newly established republic, confirmations were held, while the unusual events attracted the attention of the secular press. The novelty wore off, however, and there appears to have been considerable laxity in its administration, perhaps the result of the ignorance of the laity as to its meaning and importance. Indifference marked the attitude of churchmen, and opposition was expressed by those outside her fold. Four years after his consecration as bishop of Virginia, Richard Channing Moore reported that there were not a few anonymous pamphlet attacks on the Church in the Old Dominion, and these were leveled particularly against confirmation.³

The bishops of the Episcopal Church—at any rate, Bishops White and Jarvis—were aware that attention should be drawn to the importance of the rite of confirmation, and at the General Convention of 1811 they drafted a pastoral letter which dealt with this matter in one of its sections. The bishops regretted that circumstances made it almost im-

³Hobart Papers, XII, 19. R. C. Moore to Hobart, January 31, 1816.

possible for them to confirm in all the churches under their respective jurisdictions, but commented favorably on the care which had been exercised in the preparation of candidates where visitations had been made. They attributed the absence of confirmations in other congregations not so much to "indifference and neglect" as "to the difficulty of introducing a practice, which, until within these few years, was unknown in this country; however in itself co-eval with our holy religion."⁴

Although the bishops acknowledged that the origin of the rite and its being a means of grace were sufficient for its justification, nevertheless, they wished to call the attention of young persons to the fact that confirmation afforded an opportunity for them to weigh the Christian obligations which lay upon them, and to assent to the vows which had been made previously in their names at baptism.⁵ The greater portion of this section, however, was devoted to an apology for the practical use of the opportunities which confirmation afforded for preparing candidates. Even in those days, the bishops saw that sermons were inadequate for the purpose of giving thorough instruction on the teaching of the Church. They observed that catechetical instruction, by the very force of repetition, was better calculated to impart the teachings of the Church, so that these might be grasped and remembered by those who learned. To the enforcement of this instruction, the heads of families were urged to make provision for their children to attend such catechetical instructions.⁶ The obvious time for imparting this teaching to the youth of the Church was when they were being prepared for confirmation.

Hobart had not yet been consecrated when this pastoral letter was framed, but it certainly met with his approval and expressed his own sentiments, as will be seen in the action which he took subsequent to his consecration to the episcopal office.

During the remaining nineteen years of his life, Bishop Hobart accomplished what had appeared impossible, namely, the upbuilding of a vigorous and growing Church throughout New York State. If, when he entered upon his duties, he was convinced of the fact that his Church had much to offer, this was fortified by two factors which became evident as he prosecuted his work as chief shepherd. One, the growth of the Episcopal Church in central and western New York was largely augmented by the immigration of Connecticut churchmen who desired to

⁴*Pastoral Address of the House of Bishops, 1811*, quoted in Walter H. Stowe, "Is the Episcopal Church Set for an Advance? A Study in the Church's Growth, 1940-1950," in *The Historiographer*, II, No. 2(1952), p. 11.

⁵*Ibid.*, pp. 11-12.

⁶*Ibid.*, pp. 12-13.

escape from the vexatious tests of their native commonwealth, where the "Standing Order" of Federalist-Congregationalism held the control. These new-comers brought with them a firm adherence to the High Churchmanship in which they had been nurtured. This loyalty made its impression upon Hobart when he found them in communities which had been bereft for years of ministrations, and yet they had remained steadfast in their attachment to their Church.⁷

The second factor was the dissatisfaction of many adults of other denominations with the types of religious expression which they found on the frontier. These persons, representing some of the stable element from New England, were used to dignity of worship and restraint in preaching. After settling in western New York, when they attended church services, they were not infrequently subjected to emotional revivalism which often approached frenzy. As old loyalites had been dissolved by the cutting of home ties, these "respectable elements," lawyers, merchants and physicians turned to the Episcopal Church for "godly decency."⁸

How was Hobart to make use of the enormous stress which Protestants were making on conversion? Revivalism utilized an emotional appeal to awaken in men and women a sense of sin, and compelled them to seek redemption. Conversion was to be recognized by an emotional experience which marked the passage of sinners from the ranks of the perishing to the fold of the elect. There was grave danger that after ardor had cooled, the "saved" would lapse into a hardened state of impenitence and indifference to religion.

One method employed to counter the ill effects of this type of evangelism was to have the laity well instructed in the faith, so as to support their convictions with a sober and rational belief in the distinctive teachings of the Church. This was to be reinforced by rigid adherence to the liturgy of *The Book of Common Prayer*, rather than to risk the encouragement of irregularities by the introduction of extempore prayers and services invented by the clergy. So insistent was Hobart upon this principle, and in general the clergy were so co-operative, that the Episcopal Church in New York was able to weather the emotional storms which swept through communities as periodical revivalism broke out with violence. "Our village has this winter been visited not with a pestilential bodily disease," wrote one clergyman, "but what in the end I am fearful will prove more injurious—a religious frenzy."

⁷*New York Diocesan Journal*, 1819, pp. 455-456.

⁸*Ibid.*, 1821, p. 17; *ibid.*, 1828, pp. 22-23.

The Rev. John Reed of Christ Church, Poughkeepsie, held his faithful together, despite the fact that the town had been visited by "a real full blooded methodist preacher," who caused an "awakening" among his own people, an event which ultimately was surpassed by a revivalistic upheaval in the Dutch Reformed Church. Parson Reed counteracted this emotionalism by catchetical classes for the youth, and by his firm and placid course was able to report that "a number of the higher class of the D[utch] Chh. attend our services when they can."⁹

In the following year, a similar outbreak occurred in Troy, where the Rev. David Butler followed the same tactics as his clerical brother further down the Hudson Valley. After Hobart visited the church to confirm a class of seventy-eight, he called the attention of the diocesan convention to the commendable work:

I deem it important to state, that in this congregation, during a season of unusual religious excitement, its rector did not find it necessary to deviate in any degree from the forms of our Church; but by more frequency in the use of them, and by greater assiduity in his parochial duties and instructions, he was happily instrumental in increasing the piety of his flock.¹⁰

As time went, on there was an increase of revivalism in the western part of the state. This region, roughly the area beyond Utica, became the fertile ground from which sprang some of the most excessive religious fanaticism of the middle years of the nineteenth century. Whereas outbreaks had been sporadic at an earlier period, by 1825 the incidence became more frequent, although the full tide was to be experienced after the death of Hobart. After his visitations of the late summer and early fall of 1826, Bishop Hobart, with the perspective of two years' absence from the country in Europe, called the attention of his diocesan convention to the situation.¹¹

Almost all of the congregations which I visited in the country are comparatively of recent origin; and in these the persons confirmed were generally more advanced in life than in our city congregations. They consisted principally of converts to the Church; of those who attached themselves to her from other denominations; and the enlightened seriousness with which I had every reason to believe they received this holy rite gave evidence of the fidelity with which their pastors had prepared them for it.

⁹Hobart Papers, XI, 11, John Reed to Hobart, Feb. 20, 1815.

¹⁰*New York Diocesan Journal*, 1816, p. 340.

¹¹*Ibid.*, 1826, pp. 22-23.

The mention of the instruction which the clergy had given to the candidates indicates that there was hearty cooperation with the bishop in using the printed material which he had made available. Behind this well devised program there lay the experience that Hobart underwent a relatively short time after his consecration.

Hobart had scarcely become adjusted to his work as *de facto* bishop of New York, when a series of circumstances caused him to assume jurisdiction of the diocese of Connecticut. In 1813, Bishop Jarvis died, and there followed a period when, for various reasons, the vacancy was not filled. In 1816, Hobart was requested by the convention of Connecticut to take provisional charge of the diocese.¹² Despite the overwhelming opposition of his own diocese to this addition of work to his other burdens, Hobart responded, and from that time until 1819, when Thomas Church Brownell was consecrated bishop of Connecticut, Hobart performed all episcopal acts in that diocese.

This brought him into direct contact with the strong principles of churchmanship which had marked Connecticut for three-quarters of a century. It was during this period also that he worked out his intensive system of parochial visitations for confirmations, ordinations and the consecration of churches. Between August 6 and the evening of September 4, 1817, he conducted thirty-four services, thirty-two congregations were visited, one priest was ordained, two churches were consecrated, and a total of 1,279 people were confirmed.¹³ By the time he surrendered his jurisdiction to Bishop Brownell in 1819, Hobart had confirmed over 3,000 persons, but few less than Bishop Jarvis' record for fifteen years.¹⁴ Thereafter, his activity in his own diocese followed the same general pattern: a forced march during a relatively short period of time, when he preached and performed episcopal acts.

The activity of Hobart in Connecticut alarmed the ministers of the "Standing Order" to such an extent that revivals were initiated and an open attack was made upon the Episcopal Church, in which their rival was accused of error in faith.¹⁵ Whether or not this was the cause of Hobart's new counter attack, it is impossible to determine, but he soon met the challenge in a unique manner. Conversion was looked upon as an emotional experience by the great body of Protestants, and packing the "anxious bench" was their purpose. Hobart,

¹²*Connecticut Diocesan Journal*, 1816, p. 96.

¹³*Christian Journal*, I (September, 1817), p. 298.

¹⁴E. E. Beardsley, *The History of the Episcopal Church in Connecticut* . . . (New York, 1868), II, 154.

¹⁵*Ibid.*, II, 139-141.

in contrast to this, developed a view of confirmation which gave it the character of sacramental conversion. From his sermons and other compositions, it is evident that he presented confirmation in this light. This brings us to a study of Hobart's theology of confirmation. As he left no systematic work on divinity, it is necessary to cull from his various writings those statements which are relevant to the subject. The main sources for this study are five printed sermons on confirmation.¹⁶

Hobart's Teaching Concerning Baptism

In order to understand Hobart's doctrine of confirmation, it is first necessary to consider his theory of baptism. In expounding this sacrament, Hobart found as the most appropriate text from Scripture, *Titus* 3:5, "Not by works of righteousness which we have done, but according to his mercy he saved us, by the washing of regeneration, and the renewing of the Holy Ghost." In his exegesis of this passage, Hobart separated the two phrases, "the washing of regeneration" from "the renewing of the Holy Ghost." The first, he explained, meant—

... a *change of state*, from our natural state, in which we have *no title* to the blessings of the Gospel Covenant, to "a state of grace or salvation" in the Christian Church, in which we *have a title*, on condition or qualifications of repentance, and faith, and evangelical obedience, to the privileges of pardon, and grace, and eternal life, which Christ purchased for his mystical body.¹⁷

He added significantly: "But this blessing, and all other blessings of the Christian covenant, conveyed and assured in baptism, suppose

¹⁶Four of Hobart's sermons on confirmation are to be found in:

BERRIAN, WILLIAM (editor),

The Posthumous Works of the late Right Reverend John Henry Hobart, D. D. . . . (3 vols., New York, 1832):

Sermon VI. "For Confirmation," Vol. II, pp. 74-87.

Sermon VII. "For Confirmation," Vol. II, pp. 88-99.

Sermon VIII. "For Confirmation," Vol. II, pp. 100-115.

Sermon IX. "For Confirmation," Vol. II, pp. 116-131.

The fifth sermon is:

HOBART, J. H., *The Candidate for Confirmation Instructed; in a Sermon Explaining the Office of Confirmation and an Address after Confirmation: with Suitable Prayers* (New York, 1819).

Hobart's other work, *A Catechism for Confirmation, Proper to be Learned by Those who are Preparing for that Holy Ordinance* (New York, 1819), is little more than a set of questions and answers derived from the preceding sermon.

There are also occasional mentions of confirmation in other works, e. g., in some sermons on baptism: see above, Berrian, II, 508-521.

¹⁷J. H. Hobart, *A Companion to the Book of Common Prayer*, p. 57.

repentance, and faith, and evangelical obedience of the recipients. . . .¹⁸ Far from undervaluing the sacrament of Christian initiation, he declared it to be generally necessary to salvation.¹⁹ It is the appointed means whereby souls are brought into a state in which the Holy Spirit can operate for the purpose of sanctification.²⁰

The conditions under which persons come to this sacrament determine whether the "renewing of the Holy Ghost" takes place. Should an adult receive baptism "on a sincere profession of repentance and faith," the "work of renovation, had, in a certain degree, commenced" with the administration of the sacrament; the person receives the title of salvation, and the gifts of the Holy Spirit, whereby the new member of the Church is able to work out his salvation under God.²¹ In case an impenitent adult should receive baptism, that person is disqualified "from the actual *enjoyment*" of the forgiveness of sins, the favor of God, and a title to heavenly citizenship. But the person is, nevertheless, bound by all the obligations which the reception of the sacrament imposes. Should the adult repent at a later time, the blessings of God are "actually conferred when the conditions are fulfilled." But should impenitence continue, the condemnation is greater than if the person had not been baptized.²²

In the case of infant baptism, Hobart was not only called upon to defend the practice, but to give an adequate apology for the use of the word "regeneration." Protestants without, and Evangelicals within, the Episcopal Church were attacking the use of the word when applied to the state of infants after the administration of the sacrament.²³

The meaning of regeneration as applied to infants was explained by Hobart as follows:

By baptism they are made members of that family, that holy society, which Christ hath separated from the world; and in it they enjoy the influences of the Divine Spirit, and all the means of grace which, by the ministry and ordinances which Christ hath established in it, he abundantly furnishes. Their original sin is washed away in the laver of regeneration; this is the means by which they are interested in the merits of that atonement which Christ made for the sins of the whole

¹⁸J. H. Hobart, *A Companion to the Book of Common Prayer*, p. 57.

¹⁹J. H. Hobart, *A Companion for the Altar* (1816), p. 173.

²⁰J. H. Hobart, *Sermons on the Principal Events and Truths of Redemption* (New York, 1824), II, 368.

²¹Berrian, II, 481-483.

²²*Ibid.*, II, 483-485.

²³Kemp Papers, Richard C. Moore to James Kemp, Oct. 12, 1821; Hobart Papers, XXXII, 32; William Meade to Hobart, Feb. 22, 1827.

world, both original and actual. * * * In baptism, the sacrament instituted for this mystical washing away of sin, infants are so far freed from original pollution, that God does not view them, on account of it, with displeasure, but accepts them as his children.²⁴

But in the case of the infant, there remains to be fulfilled his conscious acceptance of the vows which were made in his name. On reaching the age of discretion, the child has his decision to make, to repent and exercise lively faith. It is here that confirmation came into importance in the eyes of Bishop Hobart.

Teaching Concerning Confirmation

He taught that confirmation was the divinely appointed means to effect this "renewal of the Holy Ghost." "When we consider also that Confirmation, as a divine institution, ratifies, on the part of God, through his authorized minister, the privileges of baptism, and conveys new supplies of the Holy Spirit, the benefits of this holy rite must appear of the first magnitude."²⁵

The question at once arises: On what grounds did he conclude that confirmation was a divine institution? Hobart appealed to the first two verses of the sixth chapter of *Hebrews* for his authority:

"Therefore leaving the principles of the doctrine of Christ, let us go on unto perfection; not laying again the foundation of repentance from dead works, and of faith toward God, of the doctrine of baptisms, and of laying on of hands, and of resurrection of the dead, and of eternal judgment."

He dismissed the possibility that the words "laying on of hands" could be interpreted as a reference to ordination, concluding it to mean confirmation.²⁶ Because the passage from *Hebrews* includes "laying on of hands" as being one of the "principles of the doctrine of Christ," Hobart declared that the rite was of divine origin.²⁷ Two other passages: *Acts* 8:14—17; 19: 1—6, show the importance of this rite when administered by the Apostles in conveying the gifts of the Holy Spirit.²⁸

If then, confirmation is held to be a divine ordinance, then why did not the Episcopal Church follow the Church of Rome in considering it to be a sacrament? To this, Hobart answered:

²⁴Berrian, II, 487.

²⁵Hobart, *The Candidate for Confirmation Instructed*, 14; see also, Berrian, II, 77.

²⁶Hobart, *The Candidate* . . . , p. 5.

²⁷*Ibid.*

²⁸Hobart, *A Catechism for Confirmation*, p. 4.

That our Church deems one essential of a sacrament—"an outward and visible sign"—that is, the use of some material substance, denoting "an inward and spiritual grace." Her authority for this is, that there are outward and visible signs in baptism and the Lord's supper—water in the one, and bread and wine in the other. There is no such sign in Confirmation; no material object, denoting inward and spiritual grace; and, therefore, she does not consider Confirmation as a sacrament.²⁹

Although Hobart refused to recognize confirmation as a sacrament, he did consider that Christians were bound to accept it.

Confirmation is the ordinance appointed by God for the ratification of the vows of baptism, for conveying the influence of divine grace, and for confirming all the privileges of the baptismal covenant. It must therefore, be incumbent on Christians of all ages, and in all situations, to embrace the first opportunity of receiving an ordinance appointed by God for such important purposes.³⁰

Thus it is to be seen that Hobart viewed confirmation as an ordinance of divine appointment designed to supplement the sacrament of baptism. As he seldom indulged in theological exposition apart from practical application, it remains to be seen how he put into practice these ideas, in commending to the clergy and laity the course they were to follow.

Because young people who had been baptized in infancy had to fulfill the vows which were made in their names, they needed to be instructed in the faith which one day they would be expected to profess, and express that contrition for sin that should bring them to acknowledge the need for divine assistance. This afforded the clergy the opportunity of instructing the youth in "their Christian duties, and exciting them to a religious life. It tends to preserve the unity of the Church, and to prevent heresy and schism, by instilling good principles at an early period of life. . . ."³¹ Hobart called attention to the fact that children were required by the Church to be able to recite the Creed, the Lord's Prayer, and the Ten Commandments, and to have learned the "short Catechism." As this called for some understanding of what had been taught, he required that the young people must be fourteen years of age when presented for confirmation.³²

In addition to these requirements, Hobart had a sermon of his on the meaning of confirmation printed, and at the same time prepared an

²⁹Hobart, *The Candidate* . . . , p. 8.

³⁰*Ibid.*, p. 11.

³¹*Ibid.*, p. 13.

³²*Ibid.*, pp. 10-11.

elaborate catechism on the same sermon.²³ He insisted as well that the names of the candidates should be supplied by the clergyman to the bishop in advance. In this he was following the rubric at the conclusion of the catechism of *The Book of Common Prayer*.²⁴ This provision, however, was made to apply only in the case of the young.

Where adults were concerned, there appears a significant departure from his rule, showing how the bishop was making provision for the "conversion" factor in contemporary evangelism.

... There may be some who are very seriously disposed, but who, from an apprehension of their unworthiness, or from some other cause, may be deterred from a previous determination to receive Confirmation; and yet, at the time of the administration, their scruples may be removed, and they may become desirous of thus solemnly and publicly devoting themselves to God, and participating of the benefits of the holy rite. Persons of this description, there is reason to think, the Church would not wish to exclude.²⁵

Hobart's Moving and Sustained Administration of Confirmation

Having established his principles, Hobart mustered all the vigor and enthusiasm of his warm disposition in bringing about the successful prosecution of his campaign. Among other endowments, he was possessed of a certain dramatic ability which could be used to impress his congregations. The more solemn the occasion, the more eloquent was Hobart. At confirmations and funerals, he moved his congregations deeply. John Pintard, the Evangelical New York layman, not infrequently a caustic opponent of his bishop, feelingly commented on this ability.²⁶ When one turns the pages of Hobart's sermons, especially those on the subject of confirmation, it is not difficult to understand the appeal he made, and the response that was elicited from the congregations which heard him. One sermon given at the time of confirmation is devoted to the Last Things—Death, Judgment and Eternity—in which the choice of the Christian was placed before the people in stern language.²⁷

²³See above, Note #16, "the Fifth Sermon" and *A Catechism*.

²⁴Hobart, *The Candidate* . . . , p. 9.

²⁵*Ibid.*, pp. 9-10.

²⁶*Letters from John Pintard to His Daughter, Eliza Noel Pintard Davidson, 1816-1833* (New York Historical Society, 1940), I, 284; III, 228.

²⁷Berrian, II, 100-115.

Not only did Bishop Hobart exhort his people to repentance and to seal a change of heart by submitting to the laying on of hands, but he gave a short address to the confirmands after the ceremony was completed, in which he bade them hold fast to the faith that had brought them to this profession. He reminded them of the solemn vows they had made or renewed to God, and of the grace which had been bestowed upon them. He entreated them to shrink from temptations. Then following this with practical advice, he urged upon them regular pondering of the Holy Scriptures, faithful attendance at corporate worship, especially the celebrations of the Holy Communion.³⁸ In conclusion he dismissed them with words which rang with a note of encouragement.

Go then—ye are servants of Jesus Christ—it is a title infinitely more honourable than any which the world can bestow—for he is now the King of Glory, and hereafter he will be the Judge of nations. Ye are candidates for immortality. Go—God is your Friend and Father; Jesus Christ is your Intercessor and Saviour; the Holy Ghost is your Comforter. What more, Christians, can you require to animate and encourage you? Heaven is in view! Fight a good fight; keep the faith; the Lord the righteous Judge, at the day of appearing, will give you a crown of glory.³⁹

A foreign visitor who heard the bishop of New York on several occasions was impressed with the tremendous earnestness of his preaching.

He appeared in the pulpit as a father anxious for the eternal happiness of his children—a man of God preparing them for their Christian warfare—a herald from the other world, standing between the living and the dead, between heaven and earth, entreating perishing sinners, in the most tender accents, not to reject the message of reconciliation which the Son of the living God so graciously offered for their acceptance.⁴⁰

Few as are the observations on the effects of Hobart's strategy, those which have been preserved show that his congregations responded. Shortly after Hobart's consecration to the episcopate, this was noticed and reported by one of the New York clergy.

"The vast increase of solemnity in that ordinance [Confirmation] is observed by all. The Bp addresses ye confirmed, in a

³⁸Hobart, *The Candidate* . . . , pp. 31-33.

³⁹*Ibid.*, p. 34.

⁴⁰John Strachan, *A Letter to the Rev. Thomas Chalmers, D. D., Professor of Divinity in the University of Edinburgh, on the Life and Character of the Right Reverend Dr. Hobart, Bishop of New York, North America* (New York, 1832), p. 8.

very pious & affecting manner, after ye office, immediately before the blessing. The impression on ye minds of ye recipients & spectators is a very deep one."⁴¹

Later, when Hobart was exercising judisdiction over the diocese of Connecticut, the effect of the service on the congregation of Trinity Church, New Haven, was noted by the rector. He entered in his records that the bishop was "uncommonly fervent and animated," while the confirmands, as they remained near the chancel to listen to the address after the laying on of hands, "were melted into tears."⁴² Again John Pintard was ready to acknowledge the effect that a similar occasion had upon him after the first confirmation took place in the recently completed St. Thomas' Church, New York City.

This service was very solemn. [He wrote his daughter in New Orleans.] I was so much affected, that when it was over, when I went to shake hands with the Bishop, I cd scarcely utter. I meant to have expressed the wish that his health & life might be spared long to discharge these important duties to his Church.⁴³

It is impossible to determine the number of persons confirmed by Bishop Hobart during the course of his episcopate, for reports are faulty (for two years, 1817 and 1818, no figures are given), the bishop's arithmetic was poor, and there is no check on the statistics.⁴⁴ It is possible, however, to state that during the nineteen years he was in episcopal orders, he confirmed at least fifteen thousand persons, and this includes his ministrations in both New Jersey and Connecticut.

This was in fact just the beginning of a period of growth in the diocese of New York. The untimely death of Bishop Hobart in 1830 robbed the Church of one of its most vigorous evangelists. As his successor, Benjamin T. Onderdonk was consecrated to the office of bishop, and he in turn labored as faithfully, if not as spectacularly, as his predecessor. The fact that Onderdonk was assiduous in his duties is shown in the confirmation figures which he reported for the first six years of his episcopate. During this time, 1830—1836, he confirmed

⁴¹Kemper Papers, III, G, 20: B. T. Onderdonk to Jackson Kemper, Dec. 1, 1812.

⁴²Harry Crosswell, *Annals of Trinity Parish* (New Haven), p. 58.

Two of Hobart's biographers noted the same effect of the services: (1) John McVickar, *The Professional Years of John Henry Hobart, D. D.* (New York, 1836), p. 286, and (2) Berrian, *op. cit.*, I, 147.

⁴³Pintard Letters, II, 308.

⁴⁴See below, the Appendix, for such statistics as are available.

6,733 persons. By 1838 the work had become too much for one man, and for that reason steps were taken for the division of the state into two dioceses—New York and Western New York.

The credit for the growth of communicants in New York cannot be given to Hobart alone. He was fortunate in having the financial support of Trinity Church, New York, which even in those days had large resources at its disposal. These funds made it possible for the rural clergy to have their stipends augmented; it paid for the erection or completion of country churches; and it aided divinity students while preparing for holy orders. This was an advantage which no other diocese had. In addition to this, New York during the period of immigration was settled by numbers of Church people from Connecticut.

When all this is accounted for, however, there remains the fact that a superstructure had to be erected on the foundation that there might be a complete and lasting building. Without the labors of Bishop Hobart, these potentialities might never have been developed. He did this by insisting upon the thorough instruction of candidates who were to be presented for confirmation. He used the rite as a focal point for attachment to the Episcopal Church, and above all, he took care to see that the prevailing "conversion" type of evangelism was channelled into a sacramental approach to the new life of the redeemed within the mystical body, the Church.

Appendix

The Number of Bishop Hobart's Confirmations according to the Available Records

[Compiled from the *Journals* of the Diocese of New York and of the General Convention]

<i>Year or Years</i>	<i>Number</i>	
1812	500	[in 21 congregations out of 37 congregations visited.]
1813	1,100	[in 16 congregations out of 32 congregations visited.]
1814	800	
1815	400	
1816	1,000	

1817	no report ¹	
1818	no report ²	
1819	1,474	[of this number, 145 were Indians.]
1820-1823	1,797	[an average of 599 per year.]
1823-1826	2,272 ³	[of this number, Bishop Croes of New Jersey confirmed 72 for Hobart.]
1826-1829	1,954	

Hobart died, September 12, 1830, and there is no record of the number confirmed by him during the last year of his life.

The total confirmed by him in his own diocese—and *not* including those confirmed by him in Connecticut (over 3,000 persons) and in New Jersey (166)—was *not less than* 11,297, and in view of the missing data for 1817, 1818, and 1829-30, the total confirmed in the diocese of New York by Hobart was well over 12,000.

Adding to this figure of 12,000 the confirmations in Connecticut and New Jersey, the total number of persons confirmed by Hobart, 1811-1830, was *at least* 15,000.

Bishop Benjamin P. Onderdonk (consecrated on November 26, 1830) confirmed a total of 4,195 persons between that date and the convening of the General Convention of 1832—an average of over 2,000 per year. Giving all proper credit to Bishop Onderdonk's diligence, it is quite evident that he was reaping a harvest, a considerable part of which had been sown by Bishop Hobart.

¹Yet in his "Episcopal Address of 1817" (*Reprints of New York Diocesan Journals*, pp. 373-378) Hobart reports confirmations in East Chester, "above 70 persons"; and in Brooklyn, "above 60 persons"; besides mentioning having administered confirmation in other places, without giving numbers of those confirmed. It was in this year also, August 6—September 4, 1817, that he confirmed a total of 1,279 in 32 congregations in the diocese of Connecticut.

²Here again Hobart lists about forty visitations and says: "In all these places I preached, in most of them held confirmations, and in several administered the sacrament of the Lord's Supper," but he gives no figures.

³Hobart was in Europe regaining his health from September 1823 until October 1825. The average per year during this triennium was 757, but most of them were confirmed *after* Hobart returned from Europe in 1825.

The Primary Convention of the Diocese of Illinois

By Percy V. Norwood*

I. Introductory



ALTHOUGH Illinois was admitted to statehood in 1818, with a population of approximately 40,000, the Episcopal Church hardly appeared on the scene for another decade and a half. To be sure, as early as 1825 there was a short-lived organization at Albion, an English settlement near the Wabash, in the southeastern part of the state, to which the Domestic and Foreign Missionary Society sent a priest, the Rev. Amos G. Baldwin. Trinity Church, Jacksonville, was formed in the summer of 1832, and a year later the Rev. John Batchelder was sent to it by the Missionary Society. Here the first building of the Episcopal Church in Illinois was erected: Bishop Benjamin Bosworth Smith of Kentucky laid the cornerstone in May, 1834; and Bishop Jackson Kemper consecrated the church two years later while Bishop Philander Chase was in England. Parishes at Rushville and Beardstown, under the Rev. James C. Richmond, date from 1834-35.

These early churches, with their distinctly southern flavor, were in the southwestern part of the state, along the Illinois river, where settlement was made by way of the Mississippi.

Meanwhile, after the Black Hawk war (1832), the northern section began rapidly to fill up. The Missionary Society appointed the Rev. Henry Tullidge to the flourishing mining town, Galena; and the Rev. Isaac Hallam to Chicago. Both arrived in the autumn of 1834.

In the summer of that year, the Rev. Palmer Dyer resigned his parish in Syracuse, New York, resolved to do something for the forlorn Church in the "far West." Here was a missionary indeed, with no support but his own faith, zeal, and intrepidity! In the company of the Rev. James Selkrig, pioneer of the Church in southwestern Michigan, Dyer traveled westward along the Detroit-Chicago road. Selkrig re-

*The Rev. Dr. Norwood is professor emeritus of Church history, Seabury-Western Theological Seminary, Evanston, Illinois, and historiographer of the diocese of Chicago.—*Editor's note.*

cords¹ that while he pressed on to Niles, his companion turned aside to visit Bishop Chase, "who lived not far from the road," in his retreat at Gilead. The Chases and the Dyers had been neighbors in the Connecticut valley; and it is reasonable to infer that this visit acquainted Palmer Dyer with the availability of the former bishop of Ohio for the episcopate in Illinois.

Dyer reached Chicago to hold the first service of the Episcopal Church in the Presbyterian meeting house, October 12, 1834. Next day, Isaac Hallam arrived to assume charge of what was to become St. James' Church. Dyer pushed on along the Chicago and Illinois rivers until he came to spiritually destitute Peoria. Here he lodged at a tavern run by one, Augustus Garrett, used his "hall" for services, and presently organized St. Jude's Church. It was in this "hall" that the Diocese of Illinois came into being. And it was Palmer Dyer, beyond all doubt, who called it into being. The name of Philander Chase ought not to obscure the name of that humble evangelist who had no Church, no Missionary Society, to subsidize his labors in the "far West." What he accomplished in a few short months of winter is indeed amazing.

II. The Primary Convention

The Primary Convention of the Church in Illinois was held in the "Episcopal Hall of Worship," Peoria, on March 9, 1835. Three clergy were present: John Batchelder, Trinity, Jacksonville; Palmer Dyer, St. Jude's, Peoria; James C. Richmond, Christ Church, Rushville, and Grace Church, Beardstown. Batchelder presided, and Dyer acted as secretary. A letter of regret was read from Tullidge of Galena. No message from Hallam of Chicago, and even the name of his church was unknown to the group at Peoria. Six lay delegates represented St. Jude's, Peoria; Christ Church, Rushville; and Grace Church, Beardstown. Palmer Dyer preached the convention sermon.

The first business was to appoint committees to draft a constitution, canons, and rules of order. The constitution and canons adopted, the convention proceeded to elect a standing committee (Batchelder and Dyer, of the clergy; Dr. B. Gillett and Dennis Rockwell, of the laity), and delegates to the General Convention: Dyer, Batchelder, Richmond, and Tullidge, in the clerical order; Messrs. Rudolphus Rouse, Nathaniel Chamberlain, and Charles Derrickson, in the lay order.

At an evening session, the clergy presented reports on their work and prospects. These reports shed interesting light on conditions on

¹See F. C. Smith, *Diocese of Western Michigan*, p. 27.

the "old frontier." It appears that not more than 28 known communicants could be counted, to which might be added an undetermined number in Chicago and Galena. Yet after discussion, the convention of this "infant Church" had the courage to pass unanimously (but hardly in accordance with the canons) this resolution:

That this Convention do hereby appoint the Right Reverend Philander Chase, D. D., a Bishop of the Protestant Episcopal Church in the United States of America, to the Episcopate of Illinois; and that he be, and hereby is, invited to remove into this Diocese, and to assume Episcopal jurisdiction in the same.

Within two months Philander Chase was on his way. When the General Convention met at Philadelphia in August, Messrs. Dyer and Richmond presented a memorial asking that the Diocese of Illinois be admitted into union with the General Convention. The House of Bishops recommended that the irregularities in the proceedings at Peoria should be overlooked; and with the concurrence of the House of Deputies the Church in Illinois was formally recognized.²

REPORTS OF THE CLERGY³

—1—

REPORT OF THE REV. JOHN BATCHELDER, RECTOR OF TRINITY CHURCH, JACKSONVILLE, MORGAN COUNTY.

The parish of Trinity Church, *Jacksonville*, was organized in August, 1832. In June, 1833, I took charge of it as its Rector. There were then but four communicants in the Church. One of them in a short time removed from the place. At the time of my removal to the State, the question, whether Episcopacy could succeed here, was considered as extremely doubtful. This for a considerable time had the effect to paralyze all effort in behalf of the Church, to a great extent. It should, however, be observed, that the individuals, who were the immediate cause of my removal to the State, have generally remained steadfast in their attachment to the Church. From them I have received much encouragement to persevere in my efforts. The prejudices of some, and the fears of others, in regard to the Church, have gradually subsided, and our numbers increased. We now have *twelve communicants* attached to the Church, most of whom reside in the village. For the last few months there has been considerable interest mani-

²*Journal, General Convention of 1835.* In W. S. Perry *Half-Century of Legislation*, Vol. II, pp. 649, 654-5.

³The reports are transcribed—accurately, I believe—from the *Journal*, of which 300 copies were printed.—P. V. N.

fested, on the part of many, who heretofore have had no connexion with the Church, in regard to its doctrines and mode of worship. Public worship has been generally well attended. A Sunday School was organized at the commencement of Winter, which has increased from ten to twenty-five scholars. The members of the parish are making vigorous efforts to complete their church edifice, which object, we expect, will be completed by the succeeding Fall. It is highly gratifying to my feelings to be able to state, that they are disposed to contribute liberally of their property for the advancement of the interests of the parish. I deem a statement of this fact important, because it is not unfrequently asserted, that our poor parishes here are too much disposed to rely on foreign aid. Such is not the case, so far as my own observation extends. Aside from what the members of my parish have contributed the past year, toward the building of their church, they have raised, in various ways, for the benefit of the parish, over 400 dollars.

During the past year two persons have been confirmed.⁴ I have solemnized two marriages, and one funeral, and baptized four children.

Besides regularly officiating at Jacksonville, I have frequently preached at *Lynnville*, an English settlement, 7 miles from Jacksonville, where there are several families of Episcopalians. The people there are generally favorable to the Church. The attendance has uniformly been good; and there is no reasonable question, but that we might soon have a Church there, if we had a suitable clergyman to labor there. There are there several hundred people, favorably disposed to the Church, without any preaching of any description. I shall consider them as a part of my charge, till a clergyman can be obtained for them.

Owing to the bad state of my health, for a considerable time past, I have been unable to visit several places in the neighborhood, which it was my desire to have visited; and where, I have much reason to believe, the labors of an Episcopal clergyman would be very acceptable. I have recently been informed, that it is the desire of the friends of the Church in Springfield and Alton to organize parishes,⁵ and to secure the services of clergymen, as soon as possible. I cannot but express the hope, that suitable men may soon be procured for these growing and important places. There are several other important places in the Southern and Western parts of the State, where Episcopal clergymen

⁴Presumably by Bishop Benjamin B. Smith of Kentucky, who visited Jacksonville in May, 1834.

⁵On his first coming into Illinois, Bishop Chase brought with him a young relative, Samuel Chase, who had been ordered deacon on May 29, 1834, by Bishop A. V. Griswold of the Eastern Diocese. Samuel was placed at Springfield, where St. Paul's Church was presently organized. Samuel Chase had a long career in various posts in Illinois. His successor at Springfield was the Rev. Charles Dresser, from Virginia, who officiated at the marriage of Abraham and Mary Todd Lincoln, and whose house the Lincolns purchased—the recently restored Lincoln home, which thousands of tourists visit each year.

The Rev. James De Pui, who came from Pottsville, Pennsylvania, followed Richmond briefly at Rushville and Beardstown, but moved to Alton (St. Paul's) in July, 1836. He served later at Dixon and Galena.

are now earnestly called for, and where they would meet with much encouragement. The call for help is frequent and loud. But I cannot afford it. I can neither go myself in numerous cases, nor point to those who will go. The question often comes home with deep and solemn emphasis to my heart, Where are the men to search out and gather together the scattered and often desponding members of our communion; to plant churches; and to preach the unsearchable riches of Christ to the millions, that will soon be congregated here? Whom shall we send, and who will go for us?

J. BATCHELDER,⁶

Rector of Trinity Church, Jacksonville.

—2—

REPORT OF THE REV. PALMER DYER, RECTOR OF ST. JUDE'S CHURCH, PEORIA,
PEORIA COUNTY.

Having resigned my parish in Syracuse, New York, for the purpose of contributing my aid to the establishment of the Church in this portion of "the far West," where only one Episcopal clergyman was then prosecuting his solitary labors, I arrived at *Chicago* in the former part of October last. Here I spent a few days—officiated twice in the Presbyterian Meeting-house, on Sunday the 12th—and, at the request of some communicants of our Church who resided in the town, administered the sacrament of the Lord's Supper. In the reception of this sacrament at my hands, the Presbyterian Pastor and his people united with the Episcopalians.

Knowing that a Missionary had been appointed to this important station by our Domestic and Foreign Missionary Society, and that his arrival was daily expected, I made arrangements to leave Chicago on Monday the 13th, to seek an unoccupied and unappropriated field of labor in the interior of the State. Travelling towards the Illinois river, I passed through *Walker's Grove* or *Plainfield*, about 40 miles from Chicago, where I understood that some of the inhabitants are Churchmen, and would be glad to receive the services of an Episcopal clergyman.

In *Ottawa*, at the junction of the Illinois and Fox rivers, I remained but a few hours; and learned that the inhabitants are chiefly Presbyterians, embodied in a society, and that only one or two individuals are attached to the Church.⁷

From *Ottawa* I proceeded through the Grand Prairie to *Peoria*, where I arrived on Friday, the 17th of October. Learning that this

⁶Batchelder transferred to Bishop Kemper in 1838-39, leaving Isaac Hallam the only one of the five clergy of 1835 still at work in Illinois. Both he and Richmond apparently came to Illinois from Rhode Island: Batchelder had been ordered deacon on July 5, 1831, and Richmond on October 12, 1832—both ordinations by Bishop Griswold of the Eastern Diocese, of which Rhode Island was then a part.

⁷Samuel Chase went to Ottawa in the spring of 1838, and Christ Church was organized.

was an important and growing village, and that there was no resident minister—no organized religious society, of any denomination, in the county, I determined here to attempt the planting of the Church. From that time to the present, public worship has been regularly celebrated on Sundays, in the Hall where the Convention is now assembled. Although there were no members of our Church in this village, yet a few persons were found friendly to it, and disposed to concur and assist in affecting my object. On the 27th day of October we organized a Church by the name of "St. Jude's Church, Peoria," of which I was elected Rector.

On the 25th Sunday after Trinity, Nov. 16, I admitted *one* gentleman to the communion. On Christmas-day, my list of communicants increased to *four*, and subsequently to *eight*; which is the present number. I have once performed the marriage ceremony in Church, and have officiated at four burials.

The number of families and individuals, properly belonging to the parish, is unknown, and cannot well be ascertained, owing to the recency of the establishment of our Church, the fluctuations of an emigrant population, their yet imperfect knowledge of our worship and doctrines, and the still undecided character of the religious and ecclesiastical principles which they may finally embrace. Our number, however, is small; as may well be supposed, when it is known that in our little village, containing a population of only a few hundred, there are now four congregations—Episcopal, Methodist, Old-school Presbyterians, and New-school Presbyterians, besides a large class of citizens who are Unitarians and Universalists, some who are Swedenborgians, &c, to say nothing of those who are regardless of Christianity in any form. For the establishment of the Church here we are much indebted to Augustus O. Garrett, Esq., who received the clergyman as an inmate of his house, and gratuitously furnished his Hall for the use of our congregation. It is the intention of the parish to erect a Church the present season.

I have performed missionary excursions in *Peoria, Fulton, Tazewell* and *McLean* Counties, and preached in several of the towns and settlements.

IN PEORIA COUNTY,—on *Jones's Prairie*, West of the Kickapoo or Red Bud river, about eight miles from Peoria, are a few English emigrant settlers who are attached to the Church. For these people and their neighbors I have several times performed divine service, and preached to small congregations, assembled, in the evening, in some of their cabins.—I have preached at *Harkness's Settlement*, on Elm Creek, about 24 miles from Peoria, where the inhabitants are principally Methodists, and totally unacquainted with the Church.—In *Merchants' Settlement*, about 28 miles from Peoria, and a prosperous farming community like the preceding, I have preached, in a school house, to a congregation who were also wholly unacquainted with our mode of worship, being Methodists and Presbyterians. Here is a Fort, with one or two block-houses, erected by the inhabitants for the safety of their families, during the late war with the Sacs and Foxes.—At the

lower end of *La Salle Prairie*, on Lake Peoria, I preached to a small audience and left two Prayer Books.—Near the upper extremity of the same Prairie, not far below the Snatchwine river and the northern line of the county, I officiated for a large congregation, in a house of hewn logs, which was fortified by the few settlers in the vicinity, and held as an outpost, during the Black Hawk Indian war in 1832. Part of the pickets with which it was surrounded, are yet standing. The inhabitants are chiefly Baptists and Methodists, unacquainted with the Church.

IN FULTON COUNTY—In *Canton*, on Copperas Creek, I preached to a congregation who were likewise ignorant of the Church. I found here, however, one apparently pious and estimable lady, who had, in former years, been accustomed to the services of our sanctuary in New York. Despairing of ever seeing an Episcopal Church in this remote region, she had been constrained, by a sense of duty and a regard to her spiritual welfare, to connect herself with a communion of Dissenters. But happily she has a Common Prayer Book, which she keeps in close companionship with her Bible, for constant use in her daily devotions. She appears to be still strongly attached to the Church, and will, no doubt, gladly embrace the first opportunity to transfer herself to our communion. I have reason to believe that in Lewiston, also, and in many other places in this Western world, there are persons similarly situated, who still cherish the same predilection for the venerable Church of their early love, but have united with the Presbyterian and Methodist sects for the same reason, and will return with alacrity and joy to the bosom of that Church, from which the privations incident to a new country have temporarily separated them, but from which their hearts have never been alienated. To the Missionary of the Cross, deeply interesting and affecting is it to meet with these sheep of his Master's Fold, thus scattered abroad in the wilderness. It encourages and animates him to press onward, in his lonely and weary journeyings, to seek for others of the "little flock" who are still as sheep going astray.—I have officiated in *Lewiston*, on Spoon Creek, the capital of Fulton County. Upon short notice a respectable congregation convened in the Courthouse. Here I was happy to find a young gentleman who came from one of our Eastern cities, and is a zealous member of our communion. Three or four other citizens were formerly acquainted with the Church, and are disposed to aid in establishing and sustaining it in this town. Here is no settled minister, no regular preaching. Were an Episcopal clergyman to occupy the ground, he might probably, by the divine blessing, build up a Church. In this place I baptized two children.

IN TAZEWELL COUNTY.—At *Pekin*, the capital of the county, 10 miles below Peoria, I have a number of times performed a third service, on Sunday evenings, and preached to large and attentive congregations. Here is no resident clergyman, no organized society, of any denomination. The inhabitants are chiefly Universalists, Methodists, and Presbyterians; and each of these classes has occasional preaching from neighboring clergymen. A few families and individuals express a preference

for the Episcopal Church.—In *Mackinaw* I found one family attached to the Church, and several others who are inclined to prefer it, and desirous for its establishment in that town. Here also there is no organized society, no minister.—In this county, and within two or three hours ride of Peoria, the well known Eastern Association or Colony, have established themselves. Some of them are Churchmen; and I learn from members of the Colony, that in the latter part of the present season, when their village of Tremont shall have been built, and their families removed thither, an Episcopal clergyman will be wanted there, and will probably be well sustained for about one half of the time.*

IN McLEAN COUNTY.—In *Stout's Grove*, about thirty miles East of the Illinois river, is a settlement of about fifty families, all living within 2½ miles of their school-house, and all unacquainted with the Church. They are divided into four religious sects—Methodists, Cumberland Presbyterians, United Brethren or Moravians, and Quakers who are mostly Hicksites. There are also, in the vicinity, Campbellite Baptists, Dunkers, and a few Mormonese. In *Stout's Grove* I preached in a log-cabin to a small congregation.—In *Bloomington*, the capital of McLean county, I preached, in the Court-house, to a large audience. This town is very pleasantly situated, near a point of timber, upon the border of a fine rolling prairie, and is watered by Sugar Creek, a branch of Salt River. Here is a society of Presbyterians, and another of Methodists. A number of the most intelligent and able men of the village, though not members of our Church, are decided in their attachment to it—willing to contribute liberally for the maintenance of its services—and zealous for its establishment in Bloomington. For the furtherance of this object, I expect to visit this place again in the course of a few weeks. "Can we obtain a clergyman?" was their inquiry. Should one be found to bestow his services there, they have no doubt of their success in building up a respectable Church.†

In none of the places which I have mentioned had the services of the Episcopal Church ever been performed; and in most of them I have left some copies of the book of Common Prayer.

A gentleman from Lower Alton informed me, that in that flourishing and important village are many Episcopalians, who are able and desirous to build up a Church. They wait only for a clergyman to appear among them and rally them under the Apostolical banner. And how long shall they wait? Till their eyes fail with looking, and their hearts sink within them?—till they wander away, in despair, to feed in strange pastures?

I have also been informed, that at Mount Joliet,¹⁰ Cook County, are some Episcopalians who are anxious to obtain the services of a clergyman.

*A congregation was formed at Tremont in 1838, with the Rev. Williams Douglass, from New Jersey, serving that place and Pekin.

†Despite this optimism, the Episcopal Church did not enter Bloomington until 1853.

¹⁰Often called *Juliet*, as by Bishop Chase habitually. The Rev. Andrew H. Cornish began work there (Christ Church) in October, 1838. Just three years later he left.

I find it exceedingly difficult—almost impracticable—in a pecuniary point of view, to sustain myself here as an unaided Missionary. Not being in the employment of the Domestic and Foreign Missionary Society, nor of any other body to whom I can look for pecuniary assistance, and having no disposable funds of my own, I am entirely dependent upon the hospitality, and the very limited voluntary contributions, of those to whom I preach the Gospel—those who are unfortunately divided, upon religious topics, into a number of small societies, and who were, till yesterday, strangers to myself, and, generally, to the Church of which I am a minister. Every clergyman who has a family, and who comes into this valley to toil as a Missionary, should either have private resources for his support, or be under the patronage of a Society.

What a vast field of ministerial labor and usefulness is presented here, in the central part of Illinois, comprising eight or ten thousand square miles, and occupied by but one Episcopal clergyman! The tide of emigration flowing hither is immense. Settlements are rapidly forming, and towns rising up, many of which are entirely destitute of any regular ministrations of the Gospel. The people are exposed to continual danger from the great prevalence of false doctrine, heresy, and a heartless, withering infidelity, which are daily presented before them in almost every imaginable guise. Were the effort but seasonably made, the Episcopal Church, with her pure and life-giving principles, might be planted in many places, as a refuge from spiritual danger, and a bulwark against destructive errors. A number of faithful and zealous sons of the Church might here find, as evangelists, an ample sphere for their self-denying and unwearied labors. They might do incalculable good in their generation, by sowing in this noble State the seeds of truth and righteousness, which would, by the Divine blessing, spring up and eventually bear fruit, bringing forth a hundred fold, to the glory of God. But where are they? Where are the true of heart, who, with a single eye, and a firm purpose, and a devoted spirit, will NOW come forth to help us in the Lord's work, in the critical hour of our greatest need? We see around us a great harvest that might even now be gathered; but, alas!, where are the laborers, sufficient in number to accomplish the work ere it is too late? May the Lord send forth laborers into his harvest!

PALMER DYER,¹¹

Rector of St. Jude's Church, Peoria.

¹¹Dyer returned to New York within a year after the primary convention of 1835. With his departure, the prematurely formed St. Jude's collapsed, and it was some ten years before there was a parish of the Church in that community. Meanwhile, Bishop Chase took the town and county of Peoria under his pastoral care (from his home called Robin's Nest, fifteen miles distant, where he established Jubilee College). Dyer's exploratory energy seems to have been in excess of his staying powers.

REPORT OF THE REV. JAMES C. RICHMOND, RECTOR OF CHRIST CHURCH,
RUSHVILLE, SCHUYLER COUNTY, AND GRACE CHURCH, BEARDSTOWN,
MORGAN COUNTY.

Christ Church, *Rushville*, was organized in February, 1834; but has since suffered great loss by removals, and more especially by death during the prevalence of the cholera,^{11-a} in the Summer of that year. But though the little band was diminished, the members who remained were not disheartened, but, by the Divine blessing, rich in Faith and Hope. Only *eight communicants* were left; but those were most ardently attached to the Church from principle; and it gives me great pleasure to state, that their love of her altars seemed to spring from an unusual knowledge of her excellences, and from an unfeigned desire to worship God in his appointed way.

We commenced the public services in a small private room, the best indeed that could be obtained; but this circumstance was doubtless a great hindrance to the increase of the Church; as not more than thirty or forty could be accommodated. *Rushville* contains about nine hundred inhabitants, and five religious denominations, several of whom have built, or are erecting, churches. But notwithstanding this unfortunate schism, our little flock have made exertions to provide funds for the erection of a cheap edifice; and in addition to a good building lot, which has been generously given by Dr. Worthington, a young physician in *Rushville*, between five and six hundred dollars have been subscribed.

Soon after Christmas I thought it my duty to make an effort in the village of *Beardstown*, which is situated on the Illinois river, about 12 miles distant from *Rushville*. I had understood that this place was very destitute of religious services, and that little regard was paid to the Lord's day. Some of the inhabitants assured me, that nearly three months had sometimes elapsed without a visit from a minister of any denomination; yet there are 500 inhabitants in the village. My first visit was to an influential German, who had requested me to preach to his countrymen, many of whom are settled in the neighborhood, and are almost entirely ignorant of the English language. I concluded, however, to hold the first service in English. I had serious thoughts of inviting some of my people in *Rushville* to accompany me, for the purpose of joining in the responses; but as it was not convenient for them to attend, I concluded, during my solitary ride, that I should be obliged to conduct the services without that important and interesting feature of our liturgy. But on my arrival I was surprised and rejoiced to meet several persons, who had been educated in the Church,

^{11-a}The Asiatic cholera struck New York City in June 1832, and caused great loss of life. The panic it produced was understandable in view of the fact that deaths totalled 4,000 by October. Moreover, it spread along the main arteries of communication, across the Alleghenys, into the West and South. Here we have evidence that it was still in Illinois as late as the summer of 1834.

and one of whom had two prayer books, of the last century. In a few hours an assembly of fifteen persons was collected; the service was explained; and on the following day the responses were audibly made by persons who had never used our prayer book before. From this time the services were continued, without intermission, every other Sunday; and from eighty to one hundred persons generally attended. There were no communicants of the Church, and very few, indeed, of any denomination; but it was thought expedient to organize a parish. Two Wardens and seven Vestrymen were appointed, and the name of Grace Church given to the society. Eight hundred dollars have been subscribed towards building a Church.—It is my duty to return thanks to the young gentleman from Beardstown, who is a member of this Convention, for his unwearied and self-denying services, in assisting my efforts in behalf of the Church in that place.

Small Sunday schools have been commenced in the two villages; that in Rushville containing 8, and that in Beardstown 25 scholars. I have administered the holy communion twice in Rushville, and baptized one infant. I have also baptized two infants in Beardstown, and a German child of Lutheran parents, who reside about 7 miles distant from that village.

I was accompanied by several members of the Church in Rushville to a *French Settlement*, at nearly the same distance from the town, where I baptized three children. As these were also Lutherans, I take occasion to observe, with great pleasure, that I have always found the members of this communion decidedly favorable to our Church; as may be farther corroborated by the following relation:—

On the first Sunday in March I preached and administered the sacrament of the Lord's Supper to eighty-six German emigrants.¹² I cannot refrain from expressing the delight with which I met these excellent people, who have left their Father-land, their homes, and their altars, and who now, for the first time in this distant Western world, united in receiving the elements which represents the body and blood of their crucified Saviour, who alone, amid all the changes they have witnessed, remains the same, yesterday, today, and forever. The old man of more than threescore, who had walked ten miles, and braved the inclemency of the season, that he might come up with his daughter to the temple of God, and the youth of fifteen, side by side, received the sacred emblems. Their voices united in native hymns and native melody; the tears coursed down the cheeks of the aged and the young,

¹²While in England in 1836, Bishop Chase appealed to Queen Adelaide, consort of King William IV, for assistance in producing a German version of the American Prayer Book. In his letter he recounts the work of Richmond among the Illinois Germans, mentioning his facility with that language. The queen contributed £25 "toward completing the beneficent design" (*Reminiscences*, II, 362-3).

of the father and the matron, as they remembered their own dear churches in their beloved country; and as the Lutheran, the Reformed, and the Roman Catholic German united in receiving the bread and wine from the hands of an Episcopal minister, I could not but be reminded of the days of promise, when "there shall be one fold and one shepherd."

JAMES C. RICHMOND,¹³

*Rector of Christ Church, Rushville,
and Grace Church, Beardstown.*

—4—

REPORT OF THE REV. HENRY TULLIDGE, OFFICIATING AT GALENA, JO DAVIES
COUNTY; EXTRACTED FROM A LETTER TO THE SECRETARY, RECEIVED
AFTER THE RISING OF THE CONVENTION.

I do not think it will be in my power, at present, to furnish any statement of importance. My difficulties, as you are aware, have been peculiar; and the season during which I have been here has been unfavorable to my accomplishing much. I have, however, quite sufficient to encourage me, and doubt not that, by the Divine blessing upon patient perseverance, I shall meet with ultimate, if not speedy success. The field is so very important, that I should esteem it my duty to continue here, under much greater discouragements than I have yet encountered. But my prospects begin to brighten considerably; and though I began with the merest handful of Episcopalians, I now begin to have a respectable and sometimes numerous attendance. I have not yet organized a Church, but expect to be able to do so before Summer. As soon as the weather becomes settled and favorable, I intend exploring the surrounding country, which I have not yet done, owing to the inclemency of the season. This region is settling every year by thousands who come to work the extensive mines which it contains. The extreme beauty of the country, its rich soil, and healthful climate, are also beginning to draw towards it the tide of emigration. Thus, the harvest is constantly becoming greater, whilst the increase of Gospel laborers is very far from keeping pace with it. There is one Presbyterian minister here, and one Methodist, together with myself; and about two or three Methodist ministers scattered through the adjoining country; and this constitutes the whole present supply. As it re-

¹³Richmond apparently did not return to Illinois after the General Convention of 1835. He settled in Connecticut, where Bishop Chase appointed him as his agent to raise money "in the East" for his Jubilee College project. He was able but erratic. In the next decade he gained considerable notoriety through his part in the Bishop Benjamin T. Onderdonk trial.

spects usefulness, I have, therefore, a most enviable post; but I desire to recollect, that God alone can give our labors "increase." May He bless all our endeavors for Christ's sake.

Yours, truly,

HENRY TULLIDGE.¹⁴

The Rev. P. Dyer.

* * * * *

No report was received from the Rev. I. W. HALLAM,¹⁵ of Chicago.

* * * * *

¹⁴Tullidge removed to Detroit, within the year. The Rev. Ezekiel G. Gear from Ithaca, New York, took his place at Galena for a short time. Gear then became an army chaplain, and, being stationed at Fort Snelling, was the first clergyman of the Episcopal Church to conduct services in what is now the state and diocese of Minnesota.

¹⁵Hallam was a native of Stonington, Connecticut. He graduated from Trinity College, Hartford, and the Virginia Theological Seminary. He was ordered deacon, May 20, 1832, by Bishop Richard Channing Moore of Virginia, and advanced to the priesthood in 1833 by Bishop Thomas C. Brownell of Connecticut, while for a short time in charge of St. James' Church, New London. The mother-parish of Chicago was named "in compliment" to the Connecticut parish in which Hallam had briefly served. Hallam resigned St. James' in 1843—the only one of the clergy whom Bishop Chase found on his arrival in Illinois who remained more than four years.

St. James' Parish, Chicago, is today [1955] the Cathedral Church of the Diocese of Chicago.

"Thomas Bray"—A Review of H. P. Thompson's Biography*

By Samuel Clyde McCulloch**

THE recent 250th anniversaries of the Society for the Promotion of Christian Knowledge (S. P. C. K.) and the Society for the Propagation of the Gospel in Foreign Parts (S. P. G.) brings to mind again their founder, Dr. Thomas Bray, of whom Canon J. H. Overton has written:

"No man did more for the Church at home and broad, and no man received less from her in the way of earthly recompense."

Professor Frank J. Klingberg in his extensive and remarkably penetrating studies of the S. P. G., Dr. Bray's biographers, and the HISTORICAL MAGAZINE through its publication of many articles on the S. P. G., have underscored Dr. Bray's historical importance; but not all the details of his personal life have been known. With the discovery of some new source material and a satisfactory exploitation of material already known, the Rev. H. P. Thompson (author of the recently published history of the S. P. G., *Into All Lands*¹) has been able to produce the most complete biography of Dr. Bray.

In addition to using the standard printed works on Dr. Bray and his known books and manuscripts, Mr. Thompson has made two significant discoveries: (1) copies of Dr. Bray's Accounts among the Dr. Bray's Associates MSS, and (2) some new Sion College MSS. From these he has drawn a clear and more detailed description of all of Dr. Bray's work in Maryland, and the method of dispatch of libraries and missionaries between 1695 and 1703. Also, as Mr. Thompson has been the first to make proper use of the registers of the parishes in which

**Thomas Bray*. By H. P. Thompson. London, S. P. C. K., 1954. Pp. 119. \$2.50.

**Dr. McCulloch is professor of history and assistant dean of the College of Arts and Sciences, Rutgers University, the State University of New Jersey. He is himself an authority on the life of Dr. Thomas Bray, the subject of his doctoral thesis, and he has contributed numerous articles on various phases of Dr. Bray's life and work to the columns of HISTORICAL MAGAZINE.—*Editor's note*.

¹Reviewed by the Rev. C. Rankin Barnes, S. T. D., in HISTORICAL MAGAZINE, XXI(1952), 494-496.

Dr. Bray served, he has been able to confirm the date of Dr. Bray's birth, first established by Dr. John W. Lydekker, as 1658 and not 1656, and some further details of his two marriages.

Born in Marton, Shropshire, Dr. Bray was educated at Oswestry School and at Oxford and then took holy orders. He suffered absolute poverty as a child and young man—a fact not known before, and he married twice, the first time c. 1686 before he became rector of Sheldon, Warwickshire. His first wife's Christian name was Elenor, and she bore him two children, William in 1687 and Goditha in 1689. Elenor died when the second child was two months old. He married Agnes Sayers in 1698, and she bore him four children, three of whom died in early infancy.

In 1696, Dr. Bray published his famous *Cathechetical Lectures*, which brought his name before Archbishop Tenison, and it was this event that was supposed to have gained him the post of commissary to Maryland. Some twenty years ago, Dr. Lawrence Wroth of the John Carter Brown Library at Brown University wrote that he thought Dr. Bray was instructed by Bishop Compton to begin active work on Maryland affairs many months earlier, and Mr. Thompson has confirmed this surmise.

Mr. Thompson's most important contribution lies in his account of the years between 1696 and 1703. As the new source material contains many details about Dr. Bray's work in sending out libraries, it reveals how he solved the problems of fund raising and obtaining endowments, the safekeeping of the libraries, and the costs for storing, packing, and dispatching books. It would appear, too, that Dr. Bray was responsible for sending out more missionaries than is commonly realized, and ultimately it took two societies to carry on the work he started single-handed. He founded the S. P. C. K. in 1699, before his trip to Maryland. In Maryland, Governor Nathaniel Blakiston aided Dr. Bray in his effort to promote the Church's work, and gave active support in Dr. Bray's maneuvers to block the Quakers. Back in England in 1700, he had the satisfaction of seeing the passage of an act establishing the Anglican Church in Maryland, and the heartening support of the Church behind his foundation of the S. P. G. (in 1701).

Mr. Thompson feels that the unsatisfactory remuneration from the commissaryship was one of the reasons for Dr. Bray's resignation and return to Sheldon in 1703 or early 1704. But Mr. Thompson brings out the more surprising information that "enemies of Bray began to whisper, that he had diverted to his own profit some of the money entrusted to him for his charitable projects" (p. 79). It cannot

be discovered how serious these accusations were; but "it touched Bray upon his most sensitive spot; he was very conscious, perhaps even a little proud, of having spent his own means freely in the service of the Church; he had kept and rendered accounts with meticulous care; to be accused of peculation was intolerable" (p. 79). Mr. Thompson thinks this was a possible reason why Dr. Bray dropped out of active participation in the S. P. G. There can be no question of Dr. Bray's innocence, and part of the first biography, *Public Spirit*, was drawn from autobiographical sections in the Sion College MSS which began "A True Narrative or Memorial Representing the Rise Progress and Issue of Dr. Bray's Missionary Undertaking."

In 1707, Dr. Bray became rector of St. Botolph, Aldgate, where in addition to his full life as a conscientious parish priest, he continued to send missionaries and libraries to America. In 1723, he founded his third society, the Dr. Bray's Associates, which was dedicated to the education and conversion of Negroes and Indians in the colonies. Finally, he advised General James Edward Oglethorpe in planning the foundation of Georgia.

Mr. Thompson has also given a full description of the six major books that Dr. Bray wrote during these years; but this reviewer would question the conclusion that the *Missionalia* (1727) was the product of senility (p. 92). While the author has made an excellent analysis of Dr. Bray's will, he has not solved the mystery as to why Dr. Bray left everything in Goditha's hands, thus making her responsible for William. Agnes and her daughter had died in the early 1720's.

This biography emphasizes Dr. Bray's greatness as a teacher and priest, facets of his character not stressed previously, as earlier writers have concentrated upon his powers of organization, his skill as a writer, his energy, his extraordinary driving power, his practical nature, and his unusual intelligence; but we now realize that he was unusually firm, generous, and that his remarkable executive ability, particularly in fund raising, was coupled with greater vision than was previously estimated.

With a livelier style and a more imaginative use of his source material, Mr. Thompson might have produced a more vivid picture of Dr. Bray and a more satisfactory description of the times. There is no doubt he knows the period, for his summary of the Church activities was excellent (pp. 5-8). The inclusion of the other religious societies and Dr. Bray's relationship to them, and his contribution to the charity school and prison reform movements would have strengthened the book. Nevertheless, we are very grateful to Mr. Thompson for the best life in print today of the Rev. Dr. Thomas Bray.

★ **Moorman** ★ **Manross** ★ **DeMille**

By J. R. H. MOORMAN

A History of the Church in England

"This is a work which can be unhesitatingly recommended to anyone who wishes to learn about the mother Church of the Anglican Communion. It contains enough solid information for the advanced student, yet is simple and thorough enough for the beginner."—*William Wilson Manross.*

\$6.00

By WILLIAM WILSON MANROSS

A History of the American Episcopal Church

This is a second, revised edition of Dr. Manross' excellent history, first published fifteen years ago. The bibliography has been revised and the excellent index enlarged.

\$5.00

By GEORGE E. DeMILLE

The Episcopal Church Since 1900

"This does not pretend to be a definitive history. It is not written for scholars. It is written for the intelligent Churchman, clerical or lay, who wants to know what the story is."—*George E. DeMille.*

\$3.50

Morehouse - Gorham Co.

14 E. 41st Street, New York 17, N. Y.

29 E. Madison Street, Chicago 2, Ill.

261 Golden Gate Ave., San Francisco, 2, Cal.

Four Diocesan Histories

*Which Are a Credit to the Authors, the Dioceses Concerned,
and the Church at Large*

The Anglican Church in Delaware

By Nelson W. Rightmyer

"THIS volume is excellent. I read every word of it at once upon its arrival. Congratulations for another worthy publication."—Prof. MASSEY H. SHEPHERD, JR., *Church Divinity School of the Pacific*.

\$3.00

A History of the Diocese of Albany

By George E. DeMille

"DEMILLE'S history rates very high by these standards which I have ventured to propose. . . . May other dioceses be as fortunate in their historians."—Prof. E. R. HARDY, *Berkeley Divinity School*.

\$2.50

Virginia's Mother Church

By George MacLaren Brydon

Volume I: 1607-1727

"MASSIVE learning has gone into this book. . . . Without question it is the standard book on its subject."—Prof. ALEXANDER C. ZABRISKIE, *Virginia Theological Seminary*.

\$7.50

Volume II: 1727-1814

"WITHOUT this book, the history of Virginia in the colonial and Revolutionary periods could not be understood."—H. J. ECKENRODE, author of *Separation of Church and State in Virginia*.

\$10.00

The Anglican Church in New Jersey

By Nelson R. Burr

"DR. BURR has produced one of the best pieces of historical writing in the whole range of American Church History."—Canon GEORGE E. DEMILLE, author of *A History of the Diocese of Albany*.

\$10.00

CHURCH HISTORICAL SOCIETY •

**4205 SPRUCE STREET
PHILADELPHIA 4**

THE CHURCH'S SEMINARIES

Are Indispensable to Its Life and Growth

THE GENERAL THEOLOGICAL SEMINARY

CHELSEA SQUARE
NEW YORK 11, NEW YORK

THE PROTESTANT EPISCOPAL THEOLOGICAL
SEMINARY IN VIRGINIA

ALEXANDRIA, VIRGINIA

BEXLEY HALL

THE DIVINITY SCHOOL OF KENYON COLLEGE
GAMBIER, OHIO

NASHOTAH HOUSE

NASHOTAH, WISCONSIN

BERKELEY DIVINITY SCHOOL

38 HILLHOUSE AVENUE
NEW HAVEN 11, CONNECTICUT

THE DIVINITY SCHOOL IN PHILADELPHIA

4205 SPRUCE STREET
PHILADELPHIA 4, PENNSYLVANIA

SEABURY-WESTERN THEOLOGICAL SEMINARY

600 HAVEN STREET
EVANSTON, ILLINOIS

EPISCOPAL THEOLOGICAL SCHOOL

99 BRATTLE STREET
CAMBRIDGE 38, MASSACHUSETTS

THE SCHOOL OF THEOLOGY
OF THE UNIVERSITY OF THE SOUTH

SEWANEE, TENNESSEE

CHURCH DIVINITY SCHOOL OF THE PACIFIC

2451 RIDGE ROAD
BERKELEY 9, CALIFORNIA

THE EPISCOPAL THEOLOGICAL SEMINARY
OF THE SOUTHWEST

606 RATHERVUE PLACE
AUSTIN, TEXAS

Catalogues and other information can be had from the Deans.



From 79 to 1,103 Members in Nineteen Years!

IN 1936, The Church Historical Society had but 79 members. In 1955 it has 1,103 members—a net increase of 1,024 members, or 1,296 per cent.

OUR membership is widely distributed among all orders of the Church—bishops, priests, laymen and laywomen. During 1954 alone, the net increase was 202 members.

IF this steadily increasing number find it worth while to belong to the Society,

*Why Not **YOU?***

THE dues remain what they were in 1936—\$2 per year. If interested, address

THE CHURCH HISTORICAL SOCIETY

4205 SPRUCE STREET

PHILADELPHIA 4, PA.

THE EPISCOPAL CHURCH

A MINIATURE HISTORY

By **WALTER H. STOWE**

Historiographer of the Church



The Copy, 25c

"A brilliant survey (in 64 pages) of the relationship of this Church to the historic Church of the English race and to the worldwide Anglican Communion, and of its history from its feeble colonial beginnings down to the present, together with a brief concluding appraisal of its place in the contemporary religious scene and the distinctive values which it has to contribute to America and the world."—Dr. E. H. ECKEL, Rector, Trinity Church, Tulsa, Oklahoma.

—PHILADELPHIA—

THE CHURCH HISTORICAL SOCIETY

4205 SPRUCE STREET

*The Intellectual Revolution and
The Anglican Communion*



Water Mark: Dove

By WALTER H. STOWE

The Copy, 25c

"A masterpiece."

—Bishop Maxon

Church Historical Society

4205 Spruce St., Philadelphia 4

The H. W. Gray Co., Inc.

"Leading Publishers of Music
for the Episcopal Church"

Agents for:

**The Plainchant Publications
Committee, London, England**
(Edited by Francis Burgess)



**The St. Dunstan Edition
of Plainchant**
(Edited by Winfred Douglas)



Novello & Co., Ltd., London



S. Bornemann, Paris, France



159 East 48th St.
New York 17, N. Y.

HIGHLIGHTS OF CHURCH HISTORY

Early & Medieval

By RICHARD G. SALOMON

*Professor of Church History
Bezley Hall, Kenyon College*

THE COPY, 25c

5 COPIES, \$1

The Reformation

By POWEL MILLS DAWLEY

*Professor of Ecclesiastical History
The General Theological Seminary*

THE COPY, 25c

5 COPIES, \$1

"I want to tell you how very much I like the two brochures of Dr. Salomon and Dr. Dawley. At long last I have something on Church History which I can conscientiously put into a layman's hands. So much of this sort of thing has been apologetic and biased, without letting the facts—all of them—speak for themselves. Also they look attractive and readable. I am spreading the news about them to all my friends in the parochial ministry."—Dr. MASSEY H. SHEPHERD, Jr., Professor of Church History, The Episcopal Theological School, Cambridge, Massachusetts.

THE CHURCH HISTORICAL SOCIETY
4205 Spruce Street Philadelphia 4

The Province of The Pacific

By LOUIS CHILDS SANFORD

Late Bishop of San Joaquin

Bishop Robert B. Gooden, President of the Province of the Pacific, has said:

ABOUT THE BOOK: "The author of this book has done a great service to the Church on the Pacific Coast in preserving for generations to come the story of the Province of the Pacific. This story is the narrative of the founding and development of the Province year by year, but what is more, it is the remembrance of the lives of many truly great and devoted people who gave themselves whole-heartedly to the building of a strong Province on the Pacific Coast.

"Bishop Sanford was peculiarly fitted to tell this story, and he has done so in his usual attractive style. He has told it with accuracy, sympathy, and with that ability he had to make history live. Bishop Parsons is responsible for Chapter One. The reader will enjoy this book, and will be unwilling to put it down until he has read it from cover to cover."

ABOUT THE AUTHOR: "I knew the Bishop intimately, from the first days of his ministry. I read the manuscript. . . . I think it is a very important book, written by one of the last men alive who knew the whole story at first hand. He finished it literally with his dying breath."



Handsomely Printed and Cloth Bound . . . \$3

THE CHURCH HISTORICAL SOCIETY

4205 Spruce Street



Philadelphia 4

TWO NEW PUBLICATIONS!

WILLIAM WHITE'S . . .

"The Case of the Episcopal Churches in the United States Considered"

Edited by

RICHARD G. SALOMON, Ph. D.

*Professor of Church History,
Bexley Hall, Kenyon College*

One of the basic documents for the history of the American Episcopal Church, "and significant also as a source for the history of the relations of Church and State in this country." Professor Salomon has edited this classic document in the most thorough manner.

Publication No. 39 . . . 50 Cents

Ethelbert Talbot: 1848-1928

*Missionary Bishop
Diocesan Bishop
Presiding Bishop*

By the Rev. C. RANKIN BARNES, S. T. D.
Secretary of the General Convention

The Rev. George Buzzelle (1867-1944), who served in Wyoming and Idaho under Bishop Talbot, said of him: " 'There were giants in those days,' . . . and greatest of all, Ethelbert Talbot, Bishop of Wyoming and Idaho. . . . He was the ideal man for the West as the West was then constituted. An indefatigable worker . . . And how people flocked to hear him. A strong and inspiring preacher. . . ."

Publication No. 41 . . . Illustrated . . . \$1.00

**CHURCH HISTORICAL SOCIETY • 4205 SPRUCE STREET
PHILADELPHIA 4**

HAVE YOU HEARD?

*Of the review in the April 1955 Number of
"The American Historical Review"
concerning*

The Anglican Church In New Jersey

BY NELSON R. BURR



**Professor Donald L. Kemmerer, of the University
of Illinois, who writes the review (pp. 695-96),
states:**

"CERTAINLY few, if any, states or churches have as complete a guide to their religious beginnings. The style is very readable too. This is a definitive work in its area and a model of historical craftsmanship."

Publication No. 40
Cloth Bound, Per Copy, \$10
Pages, xvi, 768

**CHURCH HISTORICAL SOCIETY • 4205 SPRUCE STREET
PHILADELPHIA 4**

Three Steps

to reduced expenses
and aid to clergy pensions

—1 The Church Life Insurance Corporation —

Low premium cost life insurance for the clergy, lay officials and workers of the Church, and their immediate families. A variety of policies to meet your individual needs. Write our Programming Service.

—2 The Church Fire Insurance Corporation —

The only company that restricts its operations to Episcopal properties—that offers a wide variety of policies (including fire, wind-storm, vandalism, burglary, fine arts) for up to 20% less cost—that let's you pay premiums quarterly, without interest.

—3 The Church Hymnal Corporation —

Publisher of all church editions of the Book of Common Prayer and the Hymnal, and other books, including the popular Prayer Book Studies series. The books are of fine quality, the prices surprisingly low. As with all the "Church" companies, profits accrue to the Church Pension Fund.

affiliated with

the Church Pension Fund

20 Exchange Place

New York 5, N. Y.

